

**Court of Appeals, Division One**  
**Civil - Family Court**

**1 CA-CV 23-0557 FC**

**MYERS v. MERWIN**

**Appellate Case Information**

Case Filed: 12-Sep-2023

Case Closed: 10-Jan-2024

Reinstated x 1: 29-Feb-2024 Dismissal

Re-Closed:

**Dept/Composition**

**Department E**

Hon. Brian Y Furuya  
Hon. James B Morse  
Hon. David D Weinzweig

**Side 1. In re the Matter of:**

**THOMAS LYNN MYERS, JR., Petitioner/Appellant**

(Litigant Group) THOMAS LYNN MYERS, JR.

• Thomas Lynn Myers, Jr.

PRO SE

**Side 2. CASSIDY ANN MERWIN, Respondent/Appellee**

(Litigant Group) CASSIDY ANN MERWIN

• Cassidy Ann Merwin

**Attorney for: Respondent/Appellee**

Kristi A Reardon, Esq. (AZ Bar No. 27624)

Taylor S House, Esq. (AZ Bar No. 30102)

**Side 3. STATE OF ARIZONA, ex rel. THE DEPARTMENT OF ECONOMIC SECURITY, Real Party in Interest/Appellee**

(Litigant Group) STATE OF ARIZONA, ex rel. THE DEPARTMENT OF ECONOMIC SECURITY

**Attorneys for: Real Party in Interest/Appellee**

Jaimee C Oliver, Esq. (AZ Bar No. 28839)

**CASE STATUS**

Aug 26, 2024...Assigned

Feb 29, 2024....Reinstated Case

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR FC2021-095252	Order for Legal Decision Making, Parenting Time and Child Support		Steven McCarthy, Authoring Judge of Order		

**CALENDAR**

Thursday MONTHLY COURT CASE CALENDAR

Mixed

10-Oct-2024 Department E; CONFERENCE ROOM

**CASE DECISION**

30-Nov-2023 ORDER

\*\*\*Vacated\*\*\*

ORDERED: Dismissing this appeal.

Filed: 30-Nov-2023

Mandate:

Decision Disposition

**Dismissed**

Melina Brill.....Author

**36 PROCEEDING ENTRIES**

- 12-Sep-2023 FILED: Motion to Docket Appeal; Certificate of Service; Notice of Appeal (Appellee)
- 13-Sep-2023 ORDERED: Motion to Docket Appeal (Appellee) = GRANTED and assigning this appeal case number 1 CA-CV 23-0557. Melina Brill ProTem Judge - Author
- 15-Sep-2023 RECEIPT No.: 2023-00891 ; \$140.00, Authorization: # 58008993302, Applied to: CASSIDY ANN MERWIN - Class B Filing Fee (\$140.00) Paid for: Keith Berkshire - By nCourt LLC
- 22-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries  
Exhibits: Hearing Date 1/24/22 1, 14, 20, 24, 25, 28, 29, 30, 31, 35  
  
Digital Exhibits: Petitioner Hearing Date 6/19/22 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 19, 23, 24, 26, 29, 32, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 57, 58, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 101, 105, 106, 113, 114, 115, 116, 199, 200, 201, 202

**Court of Appeals, Division One****Civil - Family Court****1 CA-CV 23-0557 FC****MYERS v. MERWIN****36 PROCEEDING ENTRIES**

5. 22-Sep-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 8/26/23
6. 25-Sep-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
7. 25-Sep-2023 FILED: Motion to Dismiss Appeal or, in the Alternative, to Stay Appeal and Revest Jurisdiction; Certificate of Service (Appellee)
8. 26-Sep-2023 ORDERED: Vacating the 10/16/2023 and 11/24/2023 due dates for the case management statement and opening brief. The order ruling on the pending motion will address the briefing schedule, if necessary. Melina Brill ProTem Judge - Author
9. 12-Oct-2023 ORDERED: Motion to Dismiss Appeal or, in the Alternative, to Stay Appeal and Revest Jurisdiction (Appellee) = DENIED. FURTHER ORDERED: Pursuant to Arizona Rule of Civil Appellate Procedure 3(b), granting the alternative request and staying this appeal until 11/13/2023. FURTHER ORDERED: If the superior court has not ruled on the motion to alter or amend judgment by 11/13/2023, appellee must file a notice in this court regarding the status of the motion. Melina Brill ProTem Judge - Author
10. 24-Oct-2023 FILED: Notice of Trial Court Ruling; Certificate of Service (Appellee)
11. 26-Oct-2023 FILED: Copy of Maricopa County Superior Court ME filed 10/24/2023; Certificate of Service (Appellee)
12. 30-Oct-2023 ORDERED: Continuing the stay of this appeal until 11/29/2023. FURTHER ORDERED: If this court has received a signed order before 11/29/2023, the case management statement is due on 12/11/2023, and the opening brief is due on 12/29/2023. Melina Brill ProTem Judge - Author
13. 30-Nov-2023 ORDERED: Dismissing this appeal. Melina Brill ProTem Judge - Author
14. 7-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
15. 10-Jan-2024 FILED: Letter, 01/10/2024, Certified Copy of Order dismissing appeal. No physical record to be returned to clerk, Maricopa County Superior Court.
16. 6-Feb-2024 FILED: Application for Deferral or Waiver of Court Fees or Costs (Appellant Pro Per)
17. 6-Feb-2024 FILED: Motion to Reinstate Appeal (Appellant Pro Per)
18. 12-Feb-2024 ORDERED: Application for Deferral or Waiver of Court Fees or Costs (Appellant Pro Per) = DEFERRAL GRANTED. No payments will be due until further notice. Barbara Vidal Vaught ProTem Judge - Author
19. 20-Feb-2024 FILED: Response and Objection to Motion to Reinstate Appeal; Certificate of Service (Appellee)
20. 29-Feb-2024 ORDERED: Motion to Reinstate Appeal (Appellant Pro Per) = GRANTED and reinstating this appeal. FURTHER ORDERED: The case management statement is due by 03/11/2024. FURTHER ORDERED: Appellant must file the opening brief by 04/01/2024. If appellant does not file the opening brief timely, the court will dismiss this appeal. Hon David B Gass - Author
21. 11-Mar-2024 FILED: Case Management Statement; Order Regarding Deferral or Waiver of Court Fees and Costs and Notice Regarding Consent Judgment (Courtesy Copy) (Appellant Pro Per)
22. 18-Mar-2024 FILED: State's Notice of Appearance and Nonparticipation (Appellee State)
23. 29-Mar-2024 FILED: Motion to Stop Child Support Enforcement During the Entire Appeals Process; Certificate of Service; Petition to Enforce Child Support Judgment and For Contempt; Petition to Modify and Enforce Parenting Time (Appellant Pro Per)
24. 1-Apr-2024 FILED: Request to Participate in Pro Bono Program; Certificate of Service (Appellant Pro Per)
25. 1-Apr-2024 FILED: Motion for Extension of Time to File Brief (Opening); Certificate of Service; Petition to Enforce Child Support Judgment and for Contempt; Petition to Modify and Enforce Parenting Time (Appellant Pro Per)
26. 1-Apr-2024 FILED: Response to Motion to Stop Child Support Enforcement During the Entire Appeals Process; Certificate of Service (Appellee)
27. 1-Apr-2024 FILED: Response and Objection to Motion for Extension of Time to File Brief; Certificate of Service (Appellee)
28. 1-Apr-2024 FILED: Response to Objection of Time to File Opening Brief; Certificate of Service; Motion for Temporary Orders Re: Summer Parenting Time and Appointment of Therapeutic Interventionist; Petition to Enforce Child Support Judgment and For Contempt (Appellant Pro Per)
29. 2-Apr-2024 ORDERED: Request to Participate in Pro Bono Program (Appellant Pro Per) = DENIED. FURTHER ORDERED: Motion for Extension of Time to File Brief (Opening) (Appellant Pro Per) = GRANTED in part. Due date EXTENDED from Monday, 04-01-2024 to Wednesday, 05-01-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
30. 4-Apr-2024 ORDERED: Motion to Stop Child Support Enforcement During the Entire Appeals Process (Appellant Pro Per) = DENIED. Hon David B Gass - Author

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31. 1-May-2024 FILED: Appellants [sic] Opening Brief; Certificate of Compliance; Certificate of Service; (Untitled) Bank Statements (Appellant Pro Per)
32. 1-Jun-2024 FILED: Notice of Change of Firm; Certificate of Service (Appellee Merwin)
33. 10-Jun-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
34. 13-Aug-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
35. 22-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
36. 26-Aug-2024 CLNDR: CONFERENCE, Department E, 10-10-24, CONFERENCE ROOM.