

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0637

OLIVAS, et al. v. YAVAPAI, et al.

Appellate Case Information

Case Filed: 12-Oct-2023

Case Closed:

Dept/Composition

Department B

Hon. Michael J Brown
Hon. D Steven Williams
Hon. Daniel J Kiley

Side 1. EILEEN OLIVAS, individually and on behalf of the statutory beneficiaries of THOMAS OLIVAS, deceased, Plaintiff/Appellant

(Litigant Group) EILEEN OLIVAS, et al.

- Eileen Olivas
Thomas Olivas

Attorneys for: Plaintiffs/Appellants

Anne E Findling, Esq. (AZ Bar No. 10871)
Lauren Channell, Esq. (AZ Bar No. 33484)

Side 2. YAVAPAI COUNTY, a political subdivision of the State of Arizona; DAVID RHODES, Yavapai County Sheriff, Defendant/Appellee

(Litigant Group) YAVAPAI COUNTY, et al.

- Yavapai County
David Rhodes

Attorneys for: Defendants/Appellees

Ashlee Beth Hesman, Esq. (AZ Bar No. 28874)
Nicholas D Acedo, Esq. (AZ Bar No. 21644)

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: YAV, P1300CV202200589, Wrongful Death, John David Napper, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration due

Due By: Wednesday, September 25, 2024

Re: MEMORANDUM DECISION (Affirmed in Part, Reversed in Part) Hon Daniel J Kiley - Author; Hon Michael J Brown - Concur; Hon D Steven Williams - Concur

Petition for Review to ASC due

Due By: Thursday, October 10, 2024

Re: MEMORANDUM DECISION (Affirmed in Part, Reversed in Part) Hon Daniel J Kiley - Author; Hon Michael J Brown - Concur; Hon D Steven Williams - Concur

CASE DECISION

10-Sep-2024 MEMORANDUM DECISION

Daniel Kiley.....Author
Michael Brown.....Concur
D Williams.....Concur

Filed: 10-Sep-2024 Mandate:

Table with 1 column: Decision Disposition. Row 1: Affirmed in Part, Reversed in Part.

24 PROCEEDING ENTRIES

- 1. 12-Oct-2023 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 09/11/23
2. 12-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 12-Oct-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 26-Oct-2023 RECEIPT No.: 2023-01008 ; \$280.00, Check Number: #20475, Applied to: EILEEN OLIVAS, et al. - Class A Filing Fee (\$280.00) Paid for: Robbins & Curtin PLLC - By Law Offices of Joel B. Robbins, PLLC
5. 31-Oct-2023 FILED: Appellate Clerk Notice re: No Appellee's Fee Due; Appellant's Brief/Case Management Statement Due
6. 1-Nov-2023 FILED: Case Management Statement (Appellant)
7. 16-Nov-2023 FILED: Motion to Include Additional Transcripts of Superior Court Proceedings in Record of Appeal; Certificate of Service for Motion to Include Additional Transcripts of Superior Court Proceedings in Record of Appeal (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0637****OLIVAS, et al. v. YAVAPAI, et al.****24 PROCEEDING ENTRIES**

8. 29-Nov-2023 FILED: Plaintiff/Appellant's Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service for Plaintiff/Appellant's Unopposed Motion for Extension of Time to File Opening Brief (Appellant)
9. 29-Nov-2023 ORDERED: Plaintiff/Appellant's Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-11-2023 to Wednesday, 01-10-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
10. 4-Dec-2023 ORDERED: Motion to Include Additional Transcripts of Superior Court Proceedings in Record of Appeal (Appellant) = GRANTED and supplementing the record on appeal with the transcripts of the 03/21/2023 and 05/09/2023 proceedings. Melina Brill ProTem Judge - Author
11. 10-Jan-2024 FILED: Appellant's Opening Brief; Certificate of Compliance for Plaintiff/Appellant's Opening Brief; Certificate of Service for Plaintiff/Appellant's Opening Brief (Appellant)
12. 15-Feb-2024 FILED: Appellees' Motion for Procedural Order Re: Unopposed Motion for Extension of Time to File Answering Brief; Certificate of Service for Appellees' Motion for Procedural Order Re: Unopposed Motion for Extension of Time to File Answering Brief (Appellee)
13. 15-Feb-2024 ORDERED: Appellees' Motion for Procedural Order Re: Unopposed Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 02-26-2024 to Thursday, 03-21-2024. 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
14. 15-Mar-2024 FILED: Appellees' Motion for Procedural Order Re: Unopposed Motion for Extension of Time to File Answering Brief; Certificate of Service for Appellees' Motion for Procedural Order Re: Unopposed Motion for Extension of Time to File Answering Brief (Appellees)
15. 15-Mar-2024 ORDERED: Appellees' Motion for Procedural Order Re: Unopposed Motion for Extension of Time to File Answering Brief(Appellees) = GRANTED. Due date EXTENDED from Thursday, 03-21-2024 to Thursday, 04-04-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Barbara Vidal Vaught ProTem Judge - Author
16. 25-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
17. 4-Apr-2024 FILED: Answering Brief; Certificate of Compliance for Appellees' Answering Brief; Certificate of Service for Appellees' Answering Brief (Appellee)
18. 18-Apr-2024 FILED: Appellees' Supplemental Citation of Legal Authority; Certificate of Service for Appellees' Supplemental Citation of Legal Authority (Appellee)
19. 22-Apr-2024 FILED: Plaintiff/Appellant's Unopposed Motion for Extension of Time to File Reply Brief; Certificate of Service for Plaintiff/Appellant's Unopposed Motion for Extension of Time to File Reply Brief (Appellant)
20. 23-Apr-2024 ORDERED: Plaintiff/Appellant's Unopposed Motion for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-29-2024 to Wednesday, 05-08-2024. 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
21. 8-May-2024 FILED: Appellant's Reply Brief; Certificate of Compliance for Plaintiff/Appellant's Reply Brief; Certificate of Service for Plaintiff/Appellant's Reply Brief (Appellant)
22. 25-Jun-2024 CLNDR: CONFERENCE, Department B, 8-14-24, COURTROOM 1.
23. 10-Sep-2024 MEMORANDUM DECISION (Affirmed in Part, Reversed in Part) Hon Daniel J Kiley - Author; Hon Michael J Brown - Concur; Hon D Steven Williams - Concur
24. 10-Sep-2024 FILED: Decision Distribution Notification