

**Court of Appeals, Division One**

**Civil - Family Court**

**1 CA-CV 23-0639 FC**

**MARTINEZ v. ESTES**

**Appellate Case Information**

Case Filed: 13-Oct-2023

Case Closed:

**Dept/Composition**

**Department D**

Hon. Samuel A Thumma  
Hon. Jennifer B Campbell  
Hon. Michael J Brown

**Side 1. BOYD R MARTINEZ, Plaintiff/Appellee**

(Litigant Group) BOYD R MARTINEZ

- Boyd R Martinez

**Attorneys for: Plaintiff/Appellee**

Dee R Giles, Esq. (AZ Bar No. 25010)  
Jonathan D Schneider, Esq. (AZ Bar No. 9834)

**Side 2. DONTE ESTES, Defendant/Appellant**

(Litigant Group) DONTE ESTES

- Donte Estes

**Attorneys for: Defendant/Appellant**

Lise R Witt, Esq. (AZ Bar No. 13118)

**CASE STATUS**

Sep 10, 2024....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YUM S1400PO202300574	Petition for Injunction Against Harassment		Roger A Nelson, Authoring Judge of Order		

**2 OPEN DUE DATES**

**Motion for Reconsideration due**

**Due By:** Wednesday, September 25, 2024

Re: OPINION (Vacated) Hon Jennifer B Campbell - Author; Hon Michael J Brown - Concur; Hon Samuel A Thumma - Concur in Part; Hon Samuel A Thumma - Dissent in Part

**Petition for Review to ASC due**

**Due By:** Thursday, October 10, 2024

Re: OPINION (Vacated) Hon Jennifer B Campbell - Author; Hon Michael J Brown - Concur; Hon Samuel A Thumma - Concur in Part; Hon Samuel A Thumma - Dissent in Part

**CASE DECISION**

**10-Sep-2024 OPINION**

Jennifer Campbell.....Author  
Michael Brown.....Concur  
Samuel Thumma.....Concur in Part  
Dissent in Part

Filed: **10-Sep-2024** Mandate:

Decision Disposition
<b>Vacated</b>

**26 PROCEEDING ENTRIES**

- 18-Sep-2023 FILED: Notice of Filing of Appeal
- 13-Oct-2023 FILED: Index of Record, Notice of Appeal from Yuma County Superior Court filed 09/13/23
- 13-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 16-Oct-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 18-Oct-2023 FILED: Notice of Filing Transcript; Certificate of Service (Appellant)
- 18-Oct-2023 FILED: Reporter's Transcript - 09/08/2023 - Hearing on Injunction Against Harassment (Julie Knowlton) (Appellant)
- 24-Oct-2023 FILED: Amended Appellate Clerk Notice re: No Fees Due/Case Management Statement/Brief Due
- 3-Nov-2023 FILED: Case Management Statement; Certificate of Service (Appellant)
- 12-Dec-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)

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**26 PROCEEDING ENTRIES**

10. 12-Jan-2024 FILED: Motion for Procedural Order to Extend Deadline to File Answering Brief; Certificate of Service (Appellee)
11. 12-Jan-2024 FILED: Notice of Appearance of Attorney Dee R. Giles; Certificate of Service (Appellee)
12. 12-Jan-2024 ORDERED: Motion for Procedural Order to Extend Deadline to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 01-22-2024 to Wednesday, 02-21-2024. 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
13. 23-Jan-2024 FILED: (Untitled) Motion to Stay; Certificate of Service; Exhibit 1 (Appellant)
14. 26-Jan-2024 ORDERED: (Untitled) Motion to Stay (Appellant) = DENIED based on the information provided in the motion, this court's review of the record, and the exercise of the court's discretion. Hon David B Gass - Author
15. 20-Feb-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
16. 29-Feb-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
17. 2-Apr-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
18. 4-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record [includes Reporter's Transcript - 09/08/2023 - Hearing on Injunction Against Harassment (Julie Knowlton)]
19. 26-Apr-2024 CLNDR: CONFERENCE, Department D, 6-5-24, COURTROOM 2.
20. 18-Jul-2024 ORDERED: Vacating Injunction Against Harassment Order granted by the superior court on 08/18/2023, and continued after hearing 09/08/2023. A written decision will follow. Hon Samuel A Thumma - Author
21. 22-Jul-2024 FILED: Verified Statement of Attorney's Costs and Fees; Certificate of Service (Appellant)  
[STRICKEN per order filed 08/23/2024 - jr]
22. 5-Aug-2024 FILED: Objection to and Motion to Strike Appellant's Verified Statement of Attorney's Costs and Fees; Certificate of Service (Appellee)
23. 7-Aug-2024 FILED: Response to Motion to Strike Verified Statement of Attorney's Costs and Fees; Certificate of Service (Appellant)
24. 23-Aug-2024 ORDERED: Objection to and Motion to Strike Appellant's Verified Statement of Attorney's Costs and Fees (Appellee) = GRANTED as premature. Hon Jennifer B Campbell - Author
25. 10-Sep-2024 OPINION (Vacated) Hon Jennifer B Campbell - Author; Hon Michael J Brown - Concur; Hon Samuel A Thumma - Concur in Part; Hon Samuel A Thumma - Dissent in Part
26. 10-Sep-2024 FILED: Decision Distribution Notification