

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0650

BALL v. PICARELLO, et al.

Appellate Case Information

Case Filed: 18-Oct-2023

Case Closed:

Dept/Composition

Department C

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

Side 1. J D BALL, Plaintiff/Appellant

(Litigant Group) J D BALL

- J D Ball

PRO SE

Side 2. KAREN PICARELLO, et al., Defendant/Appellee

(Litigant Group) KAREN PICARELLO, et al.

- Karen Picarello
Kari Picarello

Attorneys for: Defendants/Appellees

Danielle K Graham, Esq. (AZ Bar No. 30543)

CASE STATUS

Aug 26, 2024...Assigned

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2016-054827, Vehicle Fraud, John R Hannah, Authoring Judge of Order.

CALENDAR

Wednesday MONTHLY COURT CASE CALENDAR
9-Oct-2024 Department C; CONFERENCE ROOM

Mixed

40 PROCEEDING ENTRIES

- 1. 18-Oct-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/19/23
2. 18-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 19-Oct-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 19-Oct-2023 FILED: Additional Record on Appeal: Physcial Exhibits: Hearing Date 02/03/2023 - List # 1 2 3 4 5 6 7 8 9 10 in Manila Envelope; Hearing Date 04/25/2023 - List # 1 2 3 4 5 6 7 8 9 10 11 12 12.001 13 14 15 20 21 23 27 32 38 39 40 41 42 43 44 48 49 in Manila Envelo
5. 26-Oct-2023 FILED: Application for Deferral or Waiver (Appellant Pro Per)
6. 27-Oct-2023 ORDERED: Application for Deferral or Waiver (Appellant Pro Per) = DEFERRAL GRANTED. No payments will be due until further notice. Melina Brill ProTem Judge - Author
7. 6-Nov-2023 FILED: First Motion to Extend Time Case Management Statement; Certified Service (Certificate of Service) (Appellant Pro Per)
8. 6-Nov-2023 ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 12/06/2023. Signed order re: minute entry of 10/19/2023 filed 10/23/2023 due within 10 days after its entry. If appeal reinstated by filing of signed order, case management statement due 12/18/2023 and opening brief due 01/05/2024. FURTHER ORDERED: First Motion to Extend Time Case Management Statement (Appellant Pro Per) = GRANTED as set forth herein. Melina Brill ProTem Judge - Author
9. 30-Nov-2023 FILED: Motion to Continue the Stay of this Appeal; Certificate of Service (Appellant Pro Per)
10. 6-Dec-2023 ORDERED: Motion to Continue the Stay of this Appeal (Appellant Pro Per) = DENIED. Appellant is reminded that if he wishes to appeal that ruling, a timely amended notice of appeal must be filed. Appellant is also reminded that the case management statement is due on 12/18/2023, and the opening brief is due on 01/05/2024. If the statement and brief are not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
11. 6-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
12. 19-Dec-2023 FILED: Case Management Statement (Appellant Pro Per)
13. 29-Dec-2023 FILED: Appellant First Motion for Time; Appellant First Motion for Time (Duplicate) (Certificate of Service) (Appellant Pro Per)

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14. 2-Jan-2024 ORDERED: Appellant First Motion for Time (Appellant Pro Per) = GRANTED. Due date (for opening brief) EXTENDED from Friday, 01-05-2024 to Monday, 02-05-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15. 4-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
16. 5-Feb-2024 FILED: Second Motion to Extend Time Opening Brief; Certificate of Service (Appellant Pro Per)
17. 5-Feb-2024 ORDERED: Second Motion to Extend Time Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 02-05-2024 to Wednesday, 03-06-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
18. 4-Mar-2024 FILED: Appellant's Motion to Use Electric Data Storage Device Filings; Certificate of Service (Appellant Pro Per)
19. 5-Mar-2024 FILED: Motion to Extend Time Opening Brief; Certificate of Service (Appellant Pro Per)
20. 5-Mar-2024 ORDERED: Motion to Extend Time Opening Brief (Appellant Pro Per) = GRANTED. FURTHER ORDERED: Vacating the 03/06/2024 due date for the opening brief. The order ruling on the pending motion to use electronic recordings will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
21. 29-Mar-2024 ORDERED: Appellant's Motion to Use Electric Data Storage Device Filings (Appellant) = DENIED without prejudice to consideration of a new motion in which appellant identifies the exact length of each recording. Nothing precludes appellant from contacting an authorized transcriber to have the transcripts prepared. FURTHER ORDERED: Requiring appellant to file the opening brief by 05/13/2024. If appellant does not file opening brief timely, the court will dismiss this appeal. Hon David B Gass - Author
22. 8-May-2024 FILED: Appellant's Motion to Use Electric Data Storage Device Filings; Certificate of Service (Appellant Pro Per)
23. 10-May-2024 FILED: Motion to Extend Time Opening Brief; Certificate of Service (Appellant Pro Per)
24. 10-May-2024 FILED: Motion to Recosider [sic]; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
25. 10-May-2024 ORDERED: Appellant's Motion to Use Electric Data Storage Device Filings (Appellant Pro Per) = DENIED. FURTHER ORDERED: Requiring appellant to file the opening brief by 05/20/2024. If appellant does not file opening brief timely, the court will dismiss this appeal. Hon David B Gass - Author
26. 13-May-2024 FILED: Motion to Reconsider (Motion to Use Transcripts); Certificate of Compliance; Certificate of Service (Appellant)
27. 13-May-2024 ORDERED: Motion to Recosider [sic]; Certificate of Compliance; Certificate of Service (Appellant Pro Per) = DENIED. Hon David B Gass - Author
28. 20-May-2024 ORDERED: Motion to Reconsider (Motion to Use Transcripts) Certificate of Service (Appellant Pro Per) = GRANTED in part, subject to modification and reconsideration as specified below. FURTHER ORDERED: In accordance with Rule 11(f), Arizona Rule of Civil Appellate Procedure, appellant may file and cite to the three recordings appellant says are under 30 minutes—the 05/06/2022 proceedings, the 12/09/2022 proceedings, and the 12/09/2023 proceedings. By 05/24/2024, appellant must file and serve the recordings as required under Rule 11(f), Arizona Rules of Civil Appellate Procedure. FURTHER ORDERED: Appellant may file and serve the prepared certified transcripts by 05/24/2024, in accordance with Rule 11.1(d), Arizona Rules of Civil Appellate Procedure. If appellant timely files and serves the transcripts, he may cite to them in the opening brief. FURTHER ORDERED: The opening brief is due by 05/24/2024. If the brief is not filed timely, the court will dismiss this appeal. FURTHER ORDERED: Under Rule 22(d), Arizona Rules of Civil Appellate Procedure, appellees may file a response to the motion to reconsider by 05/28/2024, indicating any specific objections to the filing of the three under-thirty-minute recordings and any properly certified transcripts. FURTHER ORDERED: This order is subject to modification after receipt of any response. Hon David B Gass - Author
29. 28-May-2024 FILED: CD of 05/06/2024 proceedings (Appellant Pro Per)
30. 28-May-2024 FILED: CD of 04/26/2024 proceedings (Appellant Pro Per)
31. 28-May-2024 FILED: CD of 02/23/2023 proceedings (Appellant Pro Per)
32. 28-May-2024 FILED: CD of 12/17/2019 proceedings (Appellant Pro Per)
33. 29-May-2024 FILED: Appellant's Opening Brief (Oral Argument Requested); Certificate of Compliance; Certified Service (Certificate of Service); Final Jury Instructions (Appellant Pro Per)
34. 27-Jun-2024 FILED: Answering Brief Of Defendant-Appellees; Appellees' Certificate of Compliance; Appellees Certificate of Service (Appellee)
35. 3-Jul-2024 RECEIPT No.: 2024-00650 ; \$140.00, Authorization: #85012371374, Applied to: KAREN PICARELLO, et al. - Class B Filing Fee (\$140.00) Paid for: Law Office of Danielle K Graham - By nCourt LLC
36. 11-Jul-2024 FILED: Appellant's Reply Brief (Oral Argument Requested); Certificate of Compliance; Certified Service (Appellant)

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**40 PROCEEDING ENTRIES**

- 37. 14-Aug-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
- 38. 16-Aug-2024 ORDERED: Appellant's Opening Brief (ORAL ARGUMENT REQUESTED) (Appellant Pro Per) = DENIED. Hon David B Gass - Author
- 39. 23-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
- 40. 26-Aug-2024 CLNDR: CONFERENCE, Department C, 10-9-24, CONFERENCE ROOM.