

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0703

WALTERS v. STATE

Appellate Case Information

Case Filed: 8-Nov-2023

Case Closed:

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe

Side 1. BRYAN WALTERS, Plaintiff/Appellant

(Litigant Group) BRYAN WALTERS

- Bryan Walters

PRO SE

Side 2. STATE OF ARIZONA, Defendant/Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Defendant/Appellee

Connie Totorica Gould, Esq. (AZ Bar No. 13544)

Rebecca Baner, Esq. (AZ Bar No. 34212)

CASE STATUS

Jul 9, 2024.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2022-016758, Complaint or Writ of Certiorari for Plaintiff, Timothy J Ryan, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-24-0147-PR

CASE DECISION

28-May-2024 MEMORANDUM DECISION

Randall Howe.....Author

Anni Foster.....Concur

Brian Furuya.....Concur

Filed: 28-May-2024

Mandate:

Decision Disposition

Affirmed

56 PROCEEDING ENTRIES

- 1. 8-Nov-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/10/23
2. 8-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 8-Nov-2023 FILED: Appellate Clerk Notice re: Continuing Waiver of Fees for Bryan Walters, Appellant
4. 8-Nov-2023 FILED: Appellate Clerk Notice re: Appellant's Fee Waived/No Appellee's Fee Due/Case Management Statement/Brief Due
5. 28-Nov-2023 FILED: Appellant's Amended Initial Brief (Opening Brief); Appellant's Amended Initial Brief (Opening Brief) (Certificate of Compliance); Appellant's Amended Initial Brief (Opening Brief) (Certificate of Service); Appellant's Amended Initial Brief (Opening Brief) (Duplicate) (Appellant Pro Per) [stricken per order filed 11/30/2023]
6. 28-Nov-2023 FILED: Appellant's 2nd Amended Initial Brief (Amended Opening Brief); Appellant's 2nd Amended Initial Brief (Amended Opening Brief) (Certificate of Compliance); Appellant's 2nd Amended Initial Brief (Amended Opening Brief) (Certificate of Service); Appellant's 2nd Amended Initial Brief (Amended Opening Brief) (Duplicate) (Appellant Pro Per)
7. 28-Nov-2023 FILED: Appellant's 2nd Amended Initial Brief Exhibits of Mr. Walters Complaint to State of Arizona Regarding False Detainments Prior to Incident(s) (Exhibit 1); Appellant's 2nd Amended Initial Brief Exhibits of Mr. Walters Complaint to State of Arizona Regarding False Detainments Prior to Incident(s) (Exhibit 1) (Duplicate) (Appellant Pro Per)
8. 30-Nov-2023 ORDERED: Striking the "Amended Initial Brief" and accepting the "2nd Amended Initial Brief." Melina Brill ProTem Judge - Author

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9. 2-Dec-2023 FILED: Case Management Statement (Appellant Pro Per)
10. 4-Dec-2023 FILED: Defendant-Appellee's Motion for Procedural Order to Extend Deadline to File Answering Brief; Certificate of Service (Appellee)
11. 4-Dec-2023 FILED: Opposition to Defendant's Motion; Certificate of Service (Appellant Pro Per)
12. 4-Dec-2023 FILED: Returned US Mail, Notice of Continuing Fee Waiver (ARS 12-302 (I)) dated 11/08/2023, addressed to Bryan Walters, Attempted - Not Known/Unable to Forward (Not Resent)
13. 5-Dec-2023 ORDERED: Defendant-Appellee's Motion for Procedural Order to Extend Deadline to File Answering Brief (Appellee) = GRANTED and extending the time to file the answering brief from 01/08/2024 to 02/07/2024. 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. 5-Dec-2023 FILED: Motion for Clarification; Certificate of Service (Appellant Pro Per)
15. 5-Dec-2023 FILED: Exhibits for Appeal (Exhibits 1-2); Certificate of Service (Appellant Pro Per)
16. 7-Dec-2023 ORDERED: Motion for Clarification (Appellant Pro Per) = GRANTED as set forth herein. Melina Brill ProTem Judge - Author
17. 7-Dec-2023 FILED: Reply to Courts [sic] Order; Certificate of Service (Appellant Pro Per)
18. 12-Dec-2023 ORDERED: Affirming the 12/05/2023 order extending the time to file the answering brief. Hon David B Gass - Author
19. 12-Dec-2023 FILED: Reply to Court; Certificate (Certificate of Service) (Appellant Pro Per)
20. 14-Dec-2023 ORDERED: Reply to Court (Appellant Pro Per) = TAKING NO ACTION. Barbara Vidal Vaught ProTem Judge - Author
21. 16-Dec-2023 FILED: Request for Court appointed Counsel under Civil Gideon Rule; Certificate of Service (Appellant Pro Per)
22. 18-Dec-2023 ORDERED: Request for Court appointed Counsel under Civil Gideon Rule (Appellant Pro Per) = DENIED. Melina Brill ProTem Judge - Author
23. 19-Dec-2023 FILED: Request for Court appointed Counsel under Civil Gideon Rule (Duplicate); Untitled (Certificate of Service) (Appellant Pro Per)
24. 19-Dec-2023 FILED: Appellant's 2nd Amended Initial Brief (Duplicate); Certificate of Compliance; Certificate of Service; Appellant's 2nd Amended Initial Brief Exhibits of Mr. Walters [sic] Complaint to State of Arizona Regarding False Detainments Prior to Incident(s) (Exhibits) (Appellant Pro Per)
25. 19-Dec-2023 FILED: Case Management Statement (Duplicate) (Appellant Pro Per)
26. 19-Dec-2023 FILED: Motion for Clarification (Duplicate); Certificate of Service (Appellant Pro Per)
27. 19-Dec-2023 FILED: Reply to Courts [sic] Order (Duplicate); Certificate of Service; Reply to Court (Duplicate) (Appellant Pro Per)
28. 22-Dec-2023 FILED: Statement to the Court of Appeals (Exhibits) (Appellant Pro Per)
29. 24-Dec-2023 FILED: Exhibit of Order from the Commissioner (Exhibits) (Appellant Pro Per)
30. 24-Dec-2023 FILED: Affidavit in support of Mr. Walters' Appeal (Exhibits) (Appellant Pro Per)
31. 19-Jan-2024 FILED: Response to Defendant's Reply - and Closing Statement of Closed Case in Duval County, FL; Certificate of Service (Appellant Pro Per)
32. 19-Jan-2024 FILED: Response to Defendant's Reply - and Closing Statement of Closed Case in Duval County, FL (Duplicate); Certificate of Service (Duplicate) (Appellant Pro Per)
33. 31-Jan-2024 FILED: Answer Breif [sic]; Certificate of Compliance; Certificate of Service (Appellant Pro Per)  
[stricken per order filed 02/02/2024]
34. 2-Feb-2024 ORDERED: Striking "Answer Brief" filed 01/31/2024. Melina Brill ProTem Judge - Author
35. 4-Feb-2024 FILED: Memo in Support of Appeal and Writ; Certificate of Service (Appellant Pro Per)
36. 7-Feb-2024 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
37. 7-Feb-2024 FILED: Appendix to Answering Brief (Appellee)
38. 13-Feb-2024 FILED: Memorandum of Support to Brief (Reply Brief); Certificate of Service (Appellan Pro Per)

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 23-0703**

**WALTERS v. STATE**

**56 PROCEEDING ENTRIES**

39. 13-Feb-2024 FILED: Memorandum of Support to Brief; Certificate of Service (Appellant Pro Per)
40. 13-Feb-2024 FILED: Memorandum of Support to Brief (Duplicate); Certificate of Service (Appellant Pro Per)
41. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
42. 11-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
43. 26-Mar-2024 CLNDR: CONFERENCE, Department E, 5-9-24, CONFERENCE ROOM.
44. 28-May-2024 MEMORANDUM DECISION (Affirmed) Hon Randall M Howe - Author; Hon Anni Hill Foster - Concur; Hon Brian Y Furuya - Concu
45. 28-May-2024 FILED: Decision Distribution Notification
46. 18-Jun-2024 FILED: Motion for Reconsideration; Certificate of Compliance; Motion for Reconsideration (Certificate of Service) (Duplicate) (Appellant Pro Per)
47. 21-Jun-2024 FILED: Amended Motion for Reconsideration; Certificate of Service; Certificate of Compliance (Appellant Pro Per)
48. 21-Jun-2024 FILED: Amended Motion for Reconsideration (Duplicate); Certificate of Compliance (Duplicate); Certificate of Service (Duplicate) (Appellant Pro Per)
49. 21-Jun-2024 ORDERED: Motion for Reconsideration (Appellant Pro Per) = DENIED. Hon Randall M Howe - Author
50. 22-Jun-2024 FILED: 2nd Amended Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
51. 23-Jun-2024 FILED: 3rd Amended Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
52. 24-Jun-2024 ORDERED: denying amended motions (2nd and 3rd amended motions) for reconsideration as moot. Hon Randall M Howe - Author
53. 5-Jul-2024 FILED: Motion for Reconsideration After Order, New Exhibits; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
54. 8-Jul-2024 ORDERED: Motion for Reconsideration After Order, New Exhibits (Appellant Pro Per) = DENIED as moot. Hon Randall M Howe - Author
55. 9-Jul-2024 FILED: Email Notice from ASC re: Petition for Review filed 07/09/24; request for partial record
56. 9-Jul-2024 FILED: Letter forwarding partial record to Arizona Supreme Court