

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0715

SALINE, et al. v. HATCH, et al.

Appellate Case Information

Case Filed: 14-Nov-2023

Case Closed:

Dept/Composition

Side 1. ALMA M SALINE, as Trustee of the FAMILY HERITAGE PRESERVATION TRUST U/A THE SALINE FAMILY TRUST U/A/D February 9, 1999, Plaintiff/Appellant

(Litigant Group) ALMA M. SALINE, et al.

- Alma M Saline
Family Heritage Preservation Trust U/A

Attorneys for: Plaintiff/Appellant
Catherine Conner, Esq. (AZ Bar No. 7368)

Side 2. WESLEY JOE HATCH and CHARLOTTE LYNN HATCH, husband and wife, dba SUNRISE DAIRY, an Arizona limited partnership, Defendant/Appellee

(Litigant Group) WESLEY JOE HATCH, et al.

- Wesley Joe Hatch
Charlotte Lynn Hatch
Sunrise Dairy

Attorneys for: Defendants/Appellees
Marshall R Hunt, Esq. (AZ Bar No. 31060)

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: NAV, S0900CV202000361, Quiet Title, Michael D Latham, Authoring Judge of Order.

OPEN DUE DATE

Opening Brief due Due By: Monday, October 7, 2024 [3 extensions]

Re: FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due

38 PROCEEDING ENTRIES

- 1. 13-Nov-2023 FILED: Clerk's Notice of Filing Notice of Appeal and Index of Reported Hearings (Courtesy Copy)
2. 14-Nov-2023 FILED: Index of Record, Notice of Appeal from Navajo County Superior Court filed 10/09/23
3. 14-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
4. 14-Nov-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 15-Nov-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant)
6. 15-Nov-2023 FILED: Certificate of Service (Appellant)
7. 21-Nov-2023 RECEIPT No.: 2023-01088 ; \$280.00, Authorization: # 25014407153, Applied to: ALMA M. SALINE, et al. - Class A Filing Fee (\$280.00) Paid for: Catherine Conner - By nCourt LLC
8. 24-Nov-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
9. 29-Nov-2023 FILED: Defendants/Appellees' Notice of Payment of Filing Fee; Certificate of Service (Appellee)
10. 4-Dec-2023 ORDERED: (per Sorensen v. Farmers) staying appeal until 01/04/2023. Signed order with certification of finality pursuant to Rule 54(c) due within 10 days after its entry. If appeal reinstated by filing of signed order, case management statement due 01/16/2024 and opening brief due 02/05/2024. Melina Brill ProTem Judge - Author [vacated per order filed 12/07/2023]
11. 5-Dec-2023 RECEIPT No.: 2023-01138 ; \$140.00, Authorization: # 39013482934, Applied to: WESLEY JOE HATCH, et al. - Class B Filing Fee (\$140.00) Paid for: Davis Miles McGuire Gardner - By nCourt LLC

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12. 7-Dec-2023 ORDERED: Vacating the 12/04/2023 order staying this appeal and lifting the stay of this appeal. Appellant must file a timely notice of appeal from the 11/14/2023 order in the superior court for this appeal to proceed. FURTHER ORDERED: Appellant shall file notice in this court by 12/18/2023 that indicates whether a notice of appeal was timely filed. If a notice of appeal is timely filed, a file-stamped copy of the notice of appeal shall be submitted with the notice. FURTHER ORDERED: If appellant fails to file a timely notice of appeal, the court will dismiss this appeal. FURTHER ORDERED: Vacating the 01/16/2024 due date for the case management statement and the 02/05/2024 due date for the opening brief. The court will address the briefing schedule after a notice is filed. Melina Brill ProTem Judge - Author
13. 11-Dec-2023 FILED: Notice of Filing Notice of Appeal; Certificate of Service; Exhibit A (Copy of Notice of Appeal filed in Navajo County Superior Court on 12/07/2023) (Appellant)
14. 12-Dec-2023 ORDERED: The case management statement is due on 12/28/2023. FURTHER ORDERED: The opening brief is due on 01/22/2024. Melina Brill ProTem Judge - Author
15. 27-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
16. 28-Dec-2023 FILED: Case Management Statement (Appellant)
17. 29-Dec-2023 FILED: Clerk's Notice of Filing Notice of Appeal and Index of Reported Hearings (Clerk of Court, Navajo County Superior Court)
18. 4-Jan-2024 FILED: Notice Change of (1) Law Firm Name and (2) Mailing Address; Certificate of Service (Appellees)
19. 19-Jan-2024 FILED: Plaintiff/Appellant's [sic] Motion for Procedural Order to Suspend and Remand Appeal and Stay All Pending Deadlines (Appellants)
20. 22-Jan-2024 ORDERED: Vacating the 01/22/2024 due date for the opening brief. The order ruling on the pending motion to suspend will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
21. 25-Jan-2024 FILED: Response to Plaintiff/Appellant's Motion for Procedural Order to Suspend and Remand Appeal and Stay All Pending Deadlines; Certificate of Service (Appellees)
22. 1-Feb-2024 FILED: Plaintiff/Appellant's Reply to Defendants/Appellees' Response to Motion for Procedural Order to Suspend and Remand Appeal and Stay All Pending Deadlines; Certificate of Service (Appellant)
23. 16-Feb-2024 ORDERED: Plaintiff/Appellant's [sic] Motion for Procedural Order to Suspend and Remand Appeal and Stay All Pending Deadlines (Appellants) = GRANTED and staying this appeal until 03/21/2024. FURTHER ORDERED: The opening brief is due by 04/22/2024. If the brief is not timely filed, this court will dismiss this appeal. Hon David B Gass - Author
24. 14-Mar-2024 FILED: Plaintiff/Appellant's [sic] Notice of Status Update Regarding Briefing Schedule and Motion to Continue Stay of Appeal for 60 Days; Certificate of Service (Appellants)
25. 15-Mar-2024 ORDERED: Plaintiff/Appellant's [sic] Notice of Status Update Regarding Briefing Schedule and Motion to Continue Stay of Appeal for 60 Days (Appellants) = GRANTED and continuing the stay of this appeal until 05/20/2024, for the purposes set forth in this court's 02/16/2024 stay order. FURTHER ORDERED: The opening brief is due by 06/19/2024. If the brief is not timely filed, this court will dismiss this appeal. Barbara Vidal Vaught ProTem Judge - Author
26. 9-May-2024 FILED: Plaintiff/Appellant's Notice of Status Update Regarding Briefing Schedule and Motion to Continue Stay of Appeal for 60 Days; Certificate of Service; Exhibit A (Appellants)
27. 13-May-2024 ORDERED: Plaintiff/Appellant's Notice of Status Update Regarding Briefing Schedule and Motion to Continue Stay of Appeal for 60 Days (Appellants) = GRANTED in part and continuing the stay of this appeal until 07/05/2024, to allow the superior court to rule on the Rule 59 motions. FURTHER ORDERED: The opening brief is due by 08/07/2024. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
28. 5-Jul-2024 FILED: Plaintiff/Appellant's Notice of Status Update Regarding Briefing Schedule and Motion to Continue Stay of Appeal for 30 Days; Certificate of Service (Appellant)
29. 8-Jul-2024 ORDERED: Plaintiff/Appellant's Notice of Status Update Regarding Briefing Schedule and Motion to Continue Stay of Appeal for 30 Days (Appellant) = GRANTED. Continuing stay until 08/07/2024. FURTHER ORDERED: Stay will be lifted automatically on 08/08/2024 unless appellant files motion to continue stay that describes status of superior court proceedings. FURTHER ORDERED: If party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: Opening brief due 09/09/24. If opening brief not timely filed, court will dismiss the appeal. Steven C Lawrence ProTem Judge - Author
30. 24-Jul-2024 FILED: Plaintiff/Appellant's Notice of Status Update Regarding Briefing Schedule; Certificate of Service (Appellant)
31. 25-Jul-2024 FILED: Plaintiff/Appellant's Notice of Errata Re Notice of Status Update Regarding Briefing Schedule to Provide Omitted Order; Certificate of Service; Exhibit A (Appellant)

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**38 PROCEEDING ENTRIES**

- 32. 29-Jul-2024 ORDERED: Plaintiff/Appellant's Notice of Errata Re Notice of Status Update Regarding Briefing Schedule to Provide Omitted Order (Appellant) = GRANTED. FURTHER ORDERED: Opening brief remains due by 09/09/2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
- 33. 20-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Notice of Appeal filed 7/25/24)
- 34. 23-Aug-2024 FILED: Plaintiff/Appellant's Motion for Procedural Order to Confirm Due Date for Filing Plaintiff's Opening Brief as September 23,2024; Certificate of Service (Appellant)
- 35. 23-Aug-2024 ORDERED: Plaintiff/Appellant's Motion for Procedural Order to Confirm Due Date for Filing Plaintiff's Opening Brief as September 23,2024 (Appellant) = GRANTED and extending the time to file the opening brief from 09/09/2024 to 09/23/2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
- 36. 3-Sep-2024 FILED: Plaintiff/Appellant's Motion for Procedural Order to Release Revised Index of Record and Confirm Due Date for Filing Plaintiff's Opening Brief as October 7, 2024; Certificate of Service (Appellant)
- 37. 4-Sep-2024 ORDERED: Plaintiff/Appellant's Motion for Procedural Order to Release Revised Index of Record and Confirm Due Date for Filing Plaintiff's Opening Brief as October 7, 2024 (Appellant) = GRANTED and extending the time to file the opening brief from 09/23/2024 to 10/07/2024. If the brief is not timely filed, the court will dismiss this appeal. FURTHER ORDERED: Directing the Clerk of the Navajo County Superior Court to send the parties the amended index of record. Melina Brill ProTem Judge - Author
- 38. 10-Sep-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record