

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 23-0729 FC

NIELSEN v. NIELSEN

Appellate Case Information

Case Filed: 17-Nov-2023

Case Closed:

Dept/Composition

Side 1. In re the Matter of:

ERIK B. NIELSEN, Petitioner/Appellee

(Litigant Group) ERIK B. NIELSEN

- Erik B Nielsen

Attorneys for: Petitioner/Appellee

Christopher Torrenzano, Esq. (AZ Bar No. 36357)

Side 2. ANGELA M. NIELSEN, Respondent/Appellant

(Litigant Group) ANGELA M. NIELSEN

- Angela M Nielsen

Attorneys for: Respondent/Appellant

Lisa M Sirard, Esq. (AZ Bar No. 24980)

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, FC2011-006226, Emergency Motion for Relief from Judgment Regarding Parenting Time and Legal Decision Making, Melissa Zabor, Authoring Judge of Order.

OPEN DUE DATE

Answering Brief due

Due By:

Monday, October 7, 2024

[1 extension]

Re: FILED: Opening Brief of Respondent/Appellant/Mother; Certificate of Compliance; Certificate of Service (Appellant Pro Per)

40 PROCEEDING ENTRIES

- 1. 17-Nov-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/18/23 and Notice of Appeal filed 2/9/24 in Supplemental Record
2. 17-Nov-2023 FILED: e-Record on Appeal (SEALED): Instruments/Minute Entries Exhibits: Hearing Date 10/13/21 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 Hearing Date 8/25/22 17, 19, 26, 57, 66, 68, 78, 80, 81, 82
3. 17-Nov-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 17-Nov-2023 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 06/14/2012 - List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 in a Box (CASE SEALED) Hearing Date 03/09/2017 - List # 2 4 5 in Manila Envelope (CASE SEALED)Hearing Date 08/25/2022 - List # 1 2 3 4 10 11 12 13 14 15 (SEALED) in Manila Envelope(CASE SEALED)
5. 4-Dec-2023 FILED: Notice of Paying Filing Fee; Notice of Paying Filing Fee (Duplicate) (Appellant)
6. 8-Dec-2023 RECEIPT No.: 2023-01157 ; \$280.00, Authorization: 42009771022, Applied to: ANGELA M. NIELSEN - Class A Filing Fee (\$280.00) Paid for: Slaton Roebuck PLLC - By nCourt LLC
7. 8-Dec-2023 FILED: Motion to Suspend Appeal; Certificate of Service of Motion to Suspend Appeal (Appellant)
8. 11-Dec-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
9. 11-Dec-2023 FILED: Settlement Conference Program Notice
10. 18-Dec-2023 FILED: Notice of Change of Counsel Within Firm; Certificate of Service re: Notice of Change of Counsel Within Firm (Appellee)
11. 22-Dec-2023 FILED: Notice of Payment of Appellee's Filing Fee; Certificate of Service Re: Notice of Payment of Appellee's Filing Fee (Appellee)

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12. 27-Dec-2023 ORDERED: Motion to Suspend Appeal (Appellant) = GRANTED and staying appeal per ARCAP 3(b) to/including 01/25/2024. FURTHER ORDERED: Revesting jurisdiction in superior court for purpose of permitting that court to consider/rule on pending parenting time recommendations. FURTHER ORDERED: Stay will be lifted automatically on 01/25/2024 unless before that date appellant files motion to continue stay of appeal. FURTHER ORDERED: Appellant must file notice of ruling within 10 days after superior court rules on the motion. FURTHER ORDERED: If a 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: Case management statement is due 02/05/2024 and opening brief is due 02/26/2024. Barbara Vidal Vaught ProTem Judge - Author
13. 29-Dec-2023 RECEIPT No.: 2023-01218 ; \$140.00, Authorization: #63009024747, Applied to: ERIK B. NIELSEN - Class B Filing Fee (\$140.00) Paid for: Fromm Smith & Gadow PC - By nCourt LLC
14. 23-Jan-2024 FILED: Motion to Withdraw as Attorney of Record Without Consent of Client; Certificate of Service of Motion to Withdraw (Appellant)
15. 24-Jan-2024 FILED: Motion to Withdraw as Attorney of Record Without Consent of Client (Amended); Certificate of Service of Motion to Withdraw (Appellant)
16. 24-Jan-2024 ORDERED: Motion to Withdraw as Attorney of Record Without Consent of Client (Appellant) = DENIED in its present form. Melina Brill ProTem Judge - Author
17. 25-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes Maricopa County Superior Court ME re: parenting time)
18. 5-Feb-2024 FILED: Motion to Continue Deadline for Case Management (Extend Time Case Management & Response); Certificate of Service of Motion to Continue Deadline for Case Management Statement (Appellant)
19. 6-Feb-2024 ORDERED: Motion to Continue Deadline for Case Management (Extend Time Case Management & Response) (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-05-2024 to Monday, 02-26-2024. Melina Brill ProTem Judge - Author
20. 8-Feb-2024 ORDERED: Motion to Withdraw as Attorney of Record Without Consent of Client (Amended) (Appellant) = GRANTED. Appellant is reminded that the case management statement and opening brief are due on 02/26/2024. If the statement and brief are not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
21. 26-Feb-2024 FILED: Notice of Limited Scope Appearance; Certificate of Service (Appellant)
22. 26-Feb-2024 FILED: Case Management Statement (Appellant)
23. 26-Feb-2024 FILED: Motion for Procedural Order Re: Request to Extend Time to File Opening Brief and Request to Extend Time to Order Transcripts; Certificate of Service (Appellant)
24. 27-Feb-2024 ORDERED: Motion for Procedural Order Re: Request to Extend Time to File Opening Brief and Request to Extend Time to Order Transcripts (Appellant) = GRANTED in part. Due date EXTENDED from Monday, 02-26-2024 to Thursday, 04-11-2024. If the brief is not timely filed the court will dismiss this appeal. Melina Brill ProTem Judge - Author
25. 29-Feb-2024 FILED: Notice of Withdrawal; Certificate of Service (Appellant)
26. 11-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
27. 22-Apr-2024 FILED: Opening Brief of Respondent/Appellant/Mother; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
28. 25-Apr-2024 FILED: Motion to Dismiss Appeal; Certificate of Service Re: Motion to Dismiss Appeal (Appellee)
29. 26-Apr-2024 ORDERED: Vacating the 06/03/2024 due date for the answering brief. The order ruling on the pending motion will set a due date to file the answering brief if the motion is denied. Melina Brill ProTem Judge - Author
30. 14-May-2024 FILED: Response to Petitioner/Appellee's Motion of Dismiss; Certificate of Service (Appellant Pro Per)
31. 24-May-2024 ORDERED: Motion to Dismiss Appeal (Appellee) = DENIED and accepting the opening brief filed on 04/22/2024. FURTHER ORDERED: Appellee shall file the answering brief by 07/01/2024. If appellee does no [sic] file the brief timely, the court will submit this appeal for decision on the record and the opening brief. Hon David B Gass - Author
32. 25-Jun-2024 FILED: Motion for Procedural Order to Extend Time to File Answering Brief; Certificate of Service RE: Motion for Procedural Order to Extend Time to File Answering Brief (Appellee)
33. 26-Jun-2024 ORDERED: Motion for Procedural Order to Extend Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 07-01-2024 to Monday, 07-22-2024. If brief not timely filed, court will submit appeal for decision on record and opening brief. Melina Brill ProTem Judge - Author
34. 2-Jul-2024 FILED: Notice of Change of Firm Name; Certificate of Service Re: Notice of Change of Firm Name (Appellee)
35. 12-Jul-2024 FILED: Motion for Clarification as to Amended Notice of Appeal Filed on April 29, 2024; Certificate of Service (Appellant Pro Per)

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- 36. 17-Jul-2024 FILED: Response to Motion for Clarification and Appellee's Motion for Clarification; Certificate of Service Re: Response to Motion for Clarification and Appellee's Motion for Clarification (Appellee)
- 37. 18-Jul-2024 ORDERED: Vacating the 07/22/2024 due date for answering brief. Order ruling on pending motion will address briefing schedule. Melina Brill ProTem Judge - Author
- 38. 23-Jul-2024 ORDERED: Motion for Clarification as to Amended Notice of Appeal Filed on April 29, 2024 (Appellant Pro Per) = GRANTED and amending the docket in this appeal to include the 4/29/24 amended notice of appeal. FURTHER ORDERED: allowing appellant to file a supplemental opening brief by 8/26/24. FURTHER ORDERED: appellee must file an answering brief, addressing both opening briefs, within 40 days after service of supplemental opening brief. Hon David B Gass - Author
- 39. 26-Aug-2024 FILED: Amended Opening Brief of Respondent/Appellant/Mother; Certificate of Compliance; Certificate of Service (Appellant)
- 40. 26-Aug-2024 FILED: Notice of Appearance; Certificate of Service (Appellant)