

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0733

GARCIA v. TEMPE

Appellate Case Information

Case Filed: 17-Nov-2023

Case Closed:

Dept/Composition

Side 1. ARIS LAKOTA NICOLE GARCIA, Plaintiff/Appellee

(Litigant Group) ARIS LAKOTA NICOLE GARCIA

- Aris Lakota Nicole Garcia

Attorneys for: Plaintiff/Appellee

Michael Vlad Moldoveanu, Esq. (AZ Bar No. 29914)

Side 2. CITY OF TEMPE, Defendant/Appellant

(Litigant Group) CITY OF TEMPE

- City of Tempe

Attorneys for: Defendant/Appellant

Sean P Healy, Esq. (AZ Bar No. 18393)

Adam S Polson, Esq. (AZ Bar No. 22649)

CASE STATUS

Nov 30, 2023....Stayed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2023-006322, Negligence, Katherine Cooper, Authoring Judge of Order.

OPEN DUE DATE

Court Ordered Document due

Due By:

Friday, December 20, 2024

Re: \* ORDERED: Continuing the stay of this appeal pending further order and vacating all pending due dates. FURTHER ORDERED: Directing appellants to file a status report of the bankruptcy proceedings by 07/30/2024. Failure to comply with this order may result

13 PROCEEDING ENTRIES

- 1. 17-Nov-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/20/23
2. 17-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 20-Nov-2023 FILED: Appellate Clerk Notice re: No Appellant's Fee Due/Appellee's Fee Due/Case Management Statement/Brief Due
4. 30-Nov-2023 ORDERED: Staying this appeal until 1/8/24. FURTHER ORDERED: Revesting jurisdiction in the Maricopa County Superior Court to consider a motion for a signed order corresponding to its minute entry dated 10/12/23 and filed 10/16/23. FURTHER ORDERED: Directing the clerk of the Maricopa County Superior Court to transmit a certified copy of the ruling within 10 days after its entry marked for filing in this appeal. The stay will be lifted automatically when this court receives the signed order. FURTHER ORDERED: If superior court has not entered a signed order by 1/8/24 appellants must file a motion to continue the stay of this appeal. If appellants do not file a motion and the superior court has not entered a signed order, this court will dismiss this appeal. FURTHER ORDERED: If this court has received a signed order before 1/8/24, the case management statement is due 1/18/24 and opening brief is due 2/7/24. Melina Brill ProTem Judge - Author
5. 19-Dec-2023 FILED: Notice of Lodging Transcript (Reporter's Transcript - 10/12/2023 - Hearing on Defendant City of Tempe's Motion to Compel Arbitration and Motion to Stay or Dismiss (Kimberly McCright)); Certificate of Service (Appellant)
6. 8-Jan-2024 FILED: Appellant's Motion to Continue Stay of Appeal; Certificate of Service of Appellant's Motion to Continue Stay of Appeal (Appellant)
7. 9-Jan-2024 ORDERED: Appellant's Motion to Continue Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 02/08/2024, to allow the superior court to consider the motion for reconsideration and request for a signed order. FURTHER ORDERED: If this court has received a signed order before 02/08/2024, the case management statement is due on 02/20/2024, and the opening brief is due on 03/11/2024. Melina Brill ProTem Judge - Author
8. 29-Jan-2024 FILED: Notice of Entry of Automatic Bankruptcy Stay; Certificate of Service (Appellant)

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**13 PROCEEDING ENTRIES**

9. 30-Jan-2024 ORDERED: Continuing the stay of this appeal pending further order and vacating all pending due dates. FURTHER ORDERED: Directing appellants to file a status report of the bankruptcy proceedings by 07/30/2024. Failure to comply with this order may result in sanctions, including dismissal of this appeal. Melina Brill ProTem Judge - Author
10. 8-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
11. 10-Apr-2024 FILED: Notice of Substitution of Counsel Within Firm; Certificate of Service (Appellant)
12. 29-Jul-2024 FILED: Status Report and Motion to Stay Appeal; Certificate of Service (Appellant)
13. 30-Jul-2024 ORDERED: Status Report and Motion to Stay Appeal (Appellant) = GRANTED. FURTHER ORDERED: Within 10 days after the bankruptcy court terminates the automatic stay or dismisses the bankruptcy case, appellant must file a notice in this court with the ruling attached. The notice should indicate the status of the motion for reconsideration in the superior court. FURTHER ORDERED: Directing appellant to file a status report of the bankruptcy proceedings by 12/20/2024. Failure to comply with this order may result in sanctions, including dismissal of this appeal. Melina Brill ProTem Judge - Author