

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0760

POTTER v. EHRICH

Appellate Case Information

Case Filed: 30-Nov-2023

Case Closed:

Dept/Composition

Department A

Hon. Jennifer B Campbell
Hon. Kent E Cattani
Hon. Paul J McMurdie

Side 1. PHILLIP TERRY POTTER, Plaintiff/Appellant

(Litigant Group) PHILLIP TERRY POTTER

- Phillip Terry Potter

PRO SE

Side 2. TASNEEM DOCTOR, Defendant/Appellee

(Litigant Group) TASNEEM DOCTOR

[Dismissed per order filed 02/16/2024]

(Litigant Group) ABDULLA DOCTOR, et al.

[Dismissed per order filed 02/16/2024]

(Litigant Group) CHRISTINE ERLICH

- Christine Erlich

Attorneys for: Defendant/Appellee C. Erlich

Mark J DePasquale, Esq. (AZ Bar No. 12688)

(Litigant Group) MICHAEL CLANCY

[Dismissed per order filed 02/16/2024]

CASE STATUS

Sep 10, 2024....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2021-005501, Intentional Tort, Danielle J Viola, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration due

Due By: Wednesday, September 25, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Paul J McMurdie - Author; Hon Jennifer B Campbell - Concur; Hon Kent E Cattani - Concur

Petition for Review to ASC due

Due By: Thursday, October 10, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Paul J McMurdie - Author; Hon Jennifer B Campbell - Concur; Hon Kent E Cattani - Concur

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR
3-Sep-2024 Department A; COURTROOM 1

Mixed

CASE DECISION

10-Sep-2024 MEMORANDUM DECISION

Paul McMurdie.....Author
Jennifer Campbell.....Concur
Kent Cattani.....Concur

Filed: 10-Sep-2024

Mandate:

Decision Disposition

Affirmed

39 PROCEEDING ENTRIES

- 1. 30-Nov-2023 FILED: Motion to Create Appellate Case Numbers (Motion for Procedural Order); Certificate of Service (Appellant Pro Per)
2. 6-Dec-2023 RECEIPT No.: 2023-01142 ; \$280.00, Authorization: # 40006281347, Applied to: PHILLIP TERRY POTTER - Class A Filing Fee (\$280.00) Paid for: PHILLIP TERRY POTTER - By nCourt LLC

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0760****POTTER v. EHRICH****39 PROCEEDING ENTRIES**

3. 6-Dec-2023 ORDERED: Motion to Create Appellate Case Numbers (Motion for Procedural Order) (Appellant Pro Per) = GRANTED and assigning this appeal case number 1 CA-CV 23-0760. FURTHER ORDERED: Directing the Clerk of the Maricopa County Superior Court to prepare an index of record and to transmit the index and record to this court pursuant to ARCAP 11.1. FURTHER ORDERED: Directing the clerk of this court to send this order to the Clerk of the Maricopa County Superior Court. Melina Brill ProTem Judge - Author
4. 18-Dec-2023 FILED: Case Management Statement (Appellant Pro Per)
5. 20-Dec-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None
6. 20-Dec-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/3/2023
7. 20-Dec-2023 FILED: Appellate Clerk Notice re: Appellant's Fee Paid/Each Appellee's Fee Due/Case Management Statement/Brief Due
8. 20-Dec-2023 FILED: Settlement Conference Program Notice
9. 20-Dec-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee Erlich)
10. 26-Dec-2023 FILED: Payment for Appellee's Filing Fee for the sum of \$140.00; Payment for Appellee's Filing Fee for the sum of \$140.00 (Duplicate) (Appellee T. Doctor)
11. 27-Dec-2023 RECEIPT No.: 2023-01207 ; \$140.00, Authorization: # 61016573221, Applied to: CHRISTINE ERLICH - Class B Filing Fee (\$140.00) Paid for: Mark J DePasquale PC - By nCourt LLC
12. 2-Jan-2024 RECEIPT No.: 2024-00002 ; \$140.00, Authorization: # 02023929619, Applied to: TASNEEM DOCTOR - Class B Filing Fee (\$140.00) Paid for: Ortega & Ortega PLLC - By nCourt LLC
13. 19-Jan-2024 FILED: Motion to Dismiss for Lack of Appellate Jurisdiction and to Take Action Ensuring a Supplemental Complaint is Entered on New Actionable Events; Certificate of Service; Appendix of Record Volume 1 of 2; Appendix of Record Volume 2 of 2 (Appellant Pro Per)
14. 24-Jan-2024 FILED: Motion to Consolidate; Certificate of Service (Appellant Pro Per)
15. 25-Jan-2024 FILED: Reporter's Transcript - 11/02/2023 - Rule 16d Scheduling Conference (Alison Wilson) (Appellant Pro Per)
16. 30-Jan-2024 FILED: Notice of Payment of Filing Fee; (Untitled) Certificate of Service (Appellee Clancy)
17. 2-Feb-2024 FILED: Defendant/Appellee Christine Ehrich's Response to Plaintiff/Appellant's Motion to Dismiss for Lack of Appellate Jurisdiction and to Take Action Ensuring a Supplemental Complaint is Entered on New Actionable Events; Certificate of Service (Appellee Erlich)
18. 5-Feb-2024 RECEIPT No.: 2024-00101 ; \$140.00, Authorization: # 36020288628, Applied to: MICHAEL CLANCY - Class B Filing Fee (\$140.00) Paid for: Righi Fitch Law Group PLLC - By nCourt LLC
19. 7-Feb-2024 FILED: Defendant/Appellee Christine Ehrich's Response To Plaintiff/Appellant's Motion To Consolidate; Certificate of Service (Appellee Ehrich)
20. 8-Feb-2024 FILED: Defendant/Appellee Michael Clancy and Hildebrand Law, PC Joinder to Defendant/Appellee Christine Ehrich's Response to Plaintiff/Appellant's Motion to Consolidate; Certificate of Service (Appellee Clancy et al.)
21. 9-Feb-2024 FILED: Reply to Motion to Dismiss for Lack of Appellate Jurisdiction and to Take Action Ensuring a Supplemental Complaint is Entered on New Actionable Events; Certificate of Service (Appellant Pro Per)
22. 10-Feb-2024 FILED: Reply to Motion to Consolidate; Certificate of Service (Appellant Pro Per)
23. 13-Feb-2024 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service; Minute Entry (Maricopa County, 02/05/2024); Exhibit Email (to Motion for Extension of Time to File Opening Brief) (Appellant Pro Per)
24. 13-Feb-2024 FILED: Reply to Motion to Consolidate; Certificate of Service (Appellant Pro Per)
25. 13-Feb-2024 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant Pro Per) = GRANTED in part. FURTHER ORDERED: Vacating the 02/20/2024 due date for the opening brief. The order ruling on the pending motion to dismiss and the motion to consolidate will set a due date to file the opening brief. Melina Brill ProTem Judge - Author

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0760

POTTER v. EHRICH

39 PROCEEDING ENTRIES

26. 16-Feb-2024 ORDERED: Motion to Dismiss for Lack of Appellate Jurisdiction and to Take Action Ensuring a Supplemental Complaint is Entered on New Actionable Events (Appellant Pro Per) = DENIED. FURTHER ORDERED: Motion to Consolidate (Appellant Pro Per) = DENIED. FURTHER ORDERED: Appeals 1 CA-CV 23-0760 and 1 CA-CV 23-0764 shall be assigned to the same merits panel and scheduled for conference on the same date. FURTHER ORDERED: Dismissing all defendants from this appeal other than Christine Ehrich. FURTHER ORDERED: Amending the caption and docket in this appeal by removing all defendants other than Christine Ehrich as appellees. The caption shown on this order shall be used on all future documents filed in this appeal. FURTHER ORDERED: The opening briefs in this appeal and appeal 1 CA-CV 23-0764 are due by 03/21/2024. If the briefs are not timely filed, the court will dismiss the appeals. Hon Randall M Howe - Author
27. 21-Mar-2024 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
28. 23-Apr-2024 FILED: Motion for Extension of Time to File Answering Brief (Motion for Procedural Order); Certificate of Service (Appellee)
29. 24-Apr-2024 ORDERED: Motion for Extension of Time to File Answering Brief (Motion for Procedural Order) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 04-30-2024 to Friday, 05-10-2024. 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
30. 10-May-2024 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
31. 22-May-2024 FILED: Motion for Extension of Time to File Reply Brief; Certificate of Service (Appellant Pro Per)
32. 22-May-2024 FILED: Motion for Extension of Time to File Reply Brief (Errata); Certificate of Service (Appellant Pro Per)
33. 23-May-2024 ORDERED: Motion for Extension of Time to File Reply Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Thursday, 05-30-2024 to Thursday, 06-20-2024. If the brief is not timely filed, the court will submit the appeal for decision on the record and filed briefs. Melina Brill ProTem Judge - Author
34. 20-Jun-2024 FILED: Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
35. 10-Jul-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
36. 19-Jul-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
37. 25-Jul-2024 CLNDR: CONFERENCE, Department A, 9-3-24, COURTROOM 1.
38. 10-Sep-2024 MEMORANDUM DECISION (Affirmed) Hon Paul J McMurdie - Author; Hon Jennifer B Campbell - Concur; Hon Kent E Cattani - Concur
39. 10-Sep-2024 FILED: Decision Distribution Notification