

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0775

MOHAVE v. MESSNER

Appellate Case Information

Case Filed: 11-Dec-2023

Case Closed:

Dept/Composition

Department A

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

Side 1. MOHAVE COUNTY, Plaintiff/Appellee

(Litigant Group) MOHAVE COUNTY

- Mohave County

Attorneys for: Plaintiff/Appellee

Ryan Henry Esplin, Esq. (AZ Bar No. 29235)

Side 2. BARRY MESSNER, Defendant/Appellant

(Litigant Group) BARRY MESSNER

- Barry Messner

PRO SE

CASE STATUS

Aug 20, 2024...Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015CV202301355, Application for Preliminary Injunction, Steven C Moss, Authoring Judge of Order.

OPEN DUE DATE

Petition for Review to ASC due

Due By: Thursday, September 19, 2024

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

CASE DECISION

20-Aug-2024 MEMORANDUM DECISION

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

Filed: 20-Aug-2024

Mandate:

Decision Disposition

Affirmed

28 PROCEEDING ENTRIES

- 1. 11-Dec-2023 FILED: Index of Record, Notice of Appeal from Mohave County Superior Court filed 11/27/23
2. 11-Dec-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Digital Exhibits: Plaintiff Hearing Date 10/24/23 1, 2, 3, 4, 5, 6, 7 Defendant 10/24/23 1, 2, 3, 4
3. 11-Dec-2023 FILED: Appellate Clerk Notice re: Continuing Deferral of Fees for Barry Messner, Appellant
4. 11-Dec-2023 FILED: Appellate Clerk Notice re: Appellant's Fee Deferred/No Appellee's Fee Due/Case Management Statement/Brief Due
5. 13-Dec-2023 FILED: Settlement Conference Program Notice
6. 26-Dec-2023 FILED: Application for Deferral or Waiver of Court Fees or Costs; Application for Deferral or Waiver of Court Fees or Costs (Duplicate) (Appellant Pro Se)
7. 26-Dec-2023 FILED: Returned US Mail, Settlement Conference Program Notice dated 12/13/2023, addressed to Appellant Pro Per, Attempted/Not Known/Unable to Forward (Not Resent)
8. 26-Dec-2023 FILED: Returned US Mail, Notice of Continuing Fee Deferral (ARS 12-302 (I)) dated 12/11/2023, addressed to Appellant Pro Per, Attempted - Not Known/Unable to Forward (Resent 01/02/2024)
9. 2-Jan-2024 FILED: Motion for Extension Of Time to File Brief (Case Management Statement); Motion for Extension Of Time to File Brief (Case Management Statement) (Certificate of Service) (Appellant Pro Per)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0775****MOHAVE v. MESSNER****28 PROCEEDING ENTRIES**

10. 3-Jan-2024 ORDERED: Motion for Extension Of Time to File Brief (Case Management Statement) (Appellant Pro Per) = GRANTED. Due date EXTENDED from Tuesday, 01-02-2024 to Wednesday, 01-10-2024. If the case management statement is not timely filed, the court will consider imposing sanctions. Melina Brill ProTem Judge - Author
11. 4-Jan-2024 FILED: Motion (Untitled); Motion (Untitled) (Duplicate) (Appellant Pro Per)
[stricken per order filed 01/09/2024]
12. 8-Jan-2024 ORDERED: Application for Deferral or Waiver of Court Fees or Costs; Application for Deferral or Waiver of Court Fees or Costs (Duplicate) (Appellant Pro Se) = DENIED as moot. Amy M Wood - Author
13. 9-Jan-2024 FILED: Case Management Statement (Appellant Pro Per)
14. 9-Jan-2024 ORDERED: Striking the motion (Motion (Untitled)) filed on 01/04/2024. Melina Brill ProTem Judge - Author
15. 9-Feb-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service; Mohave County Ordinance No. 2020-07 (Appellant Pro Per)
16. 12-Feb-2024 FILED: Certificate of Service (for Notice of Substitution of Counsel Within the Same Governmental Office) (Appellee)
17. 12-Feb-2024 FILED: Notice of Substitution of Counsel Within the Same Governmental Office; Certificate of Service (Appellee)
18. 19-Mar-2024 FILED: Answering Brief of Plaintiff/Appellee Mohave County; Certificate of Compliance: Answering Brief; Certificate of Service; Certificate of Service (Duplicate) (Appellee)
19. 9-Apr-2024 FILED: Reply Brief of Defendant/Appellant Barry Messner; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
20. 10-Apr-2024 ORDERED: Appellant shall file a motion by 04/22/2024, establishing good cause for an extension of time to file the reply brief. FURTHER ORDERED: If appellant fails to file a motion or establish good cause for the untimely reply brief, the court will strike the brief. Melina Brill ProTem Judge - Author
21. 22-Apr-2024 FILED: Motion for Extension of Time to File Brief; Certificate of Service; Untitled (Additional Reasons to Support Extension for Filing Opening Brief) (Appellant)
22. 23-Apr-2024 ORDERED: Motion for Extension of Time to File Brief; Certificate of Service (Appellant Pro Per) = GRANTED and accepting the reply brief filed on 04/09/2024. Melina Brill ProTem Judge - Author
23. 8-May-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24. 14-May-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
25. 25-Jun-2024 CLNDR: CONFERENCE, Department A, 8-7-24, CONFERENCE ROOM.
26. 10-Jul-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
27. 20-Aug-2024 MEMORANDUM DECISION (Affirmed) Hon Jennifer B Campbell - Author; Hon Kent E Cattani - Concur; Hon Paul J McMurdie - Concur
28. 20-Aug-2024 FILED: Decision Distribution Notification