

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0813

EURESTE v. BERREY

Appellate Case Information

Case Filed: 27-Dec-2023

Case Closed:

Dept/Composition

Consolidated with: 1 CA-CV 24-0575

Side 1. MARY EURESTE, Plaintiff/Appellee

(Litigant Group) EURESTE

• Mary Eureste PRO SE

Side 2. DAVID BERREY, Defendant/Appellant

(Litigant Group) BERREY

• David Berrey PRO SE

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR CV2023-093315, Injunction Against Harrassment, Mary Collins Cronin, Authoring Judge of Order.

OPEN DUE DATE

Opening Brief due Due By: Friday, September 20, 2024

[1 extension]

Re: FILED: Appellate Clerk Notice re: No Fees Due/Case Management Statement/Brief Due

28 PROCEEDING ENTRIES

- 1. 27-Dec-2023 FILED: Index of Record, Notice of Appeal filed in the Superior Court of Maricopa County 11/28/23
2. 27-Dec-2023 FILED: Record on Appeal: Combined Instruments/Minute Entries Exhibits: None
3. 27-Dec-2023 FILED: Appellate Clerk Notice re: No Fees Due/Case Management Statement/Brief Due
4. 15-Jan-2024 FILED: Motion for Extension of Time to File Case Management Statement; Certificate of Service (Appellant Pro Per)
5. 16-Jan-2024 ORDERED: Motion for Extension of Time to File Case Management Statement (Appellant Pro Per) = GRANTED. Due date EXTENDED from Tuesday, 01-16-2024 to Thursday, 02-15-2024.
6. 24-Jan-2024 FILED: Request to Participate in Pro Bono Program; Certificate of Service (Appellant Pro Per)
7. 25-Jan-2024 ORDERED: Request to Participate in Pro Bono Program (Appellant Pro Per) = DENIED.
8. 12-Feb-2024 FILED: Case Management Statement; Certification of Service (Appellant Pro Per)
9. 20-Feb-2024 FILED: Motion for Procedural Order (Extension for Opening Brief); Certification of Service (Appellant Pro Per)
10. 21-Feb-2024 ORDERED: Motion for Procedural Order (Extension for Opening Brief) (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 02-26-2024 to Tuesday, 03-26-2024.
11. 18-Mar-2024 FILED: Motion to Stay Appeal and to Remand to Trial Court for Purposes of Clarification and Requesting Relief from Judgement; Certification of Service; Minute Entry (Maricopa County,03/06/2024) (Appellant Pro Per)
12. 18-Mar-2024 FILED: Order to Stay Appeal and to Remand to Trial Court for Purposes Of Clarification and Requesting Relief from Judgement (to Motion to Stay Appeal and to Remand to Trial Court for Purposes of Clarification and Requesting Relief from Judgement); Certification of Service (Appellant Pro Per)
13. 18-Mar-2024 ORDERED: Vacating the 03/26/2024 due date for the opening brief. The order ruling on the pending motion (Motion to Stay Appeal and to Remand to Trial Court for Purposes of Clarification and Requesting Relief from Judgment) will set a due date to file the opening brief.

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0813****EURESTE v. BERREY****28 PROCEEDING ENTRIES**

14. 2-Apr-2024 ORDERED: Motion to Stay Appeal and to Remand to Trial Court for Purposes of Clarification and Requesting Relief from Judgement (Appellant Pro Per) = GRANTED and suspending appeal to/including 05/13/2024, re-vesting jurisdiction in superior court for purpose of permitting that court to consider/rule on motion to clarify and motion for relief from judgment. FURTHER ORDERED: Appeal shall be lifted automatically on 05/14/2024, unless before that date appellant files a motion to continue stay of appeal. FURTHER ORDERED: Extending opening brief to/including 06/13/2024. If brief not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
15. 20-May-2024 FILED: Motion to Continue Stay of Appeal; Certification of Service; Order Staying Appeal; Minute Entry (Appellant Pro Per)
16. 20-May-2024 FILED: Order to Continue Stay of Appeal (Proposed Order); Certification of Service (Appellant Pro Per)
17. 21-May-2024 ORDERED: Motion to Continue Stay of Appeal (Appellant Pro Per) = GRANTED and staying this appeal until 06/20/2024. FURTHER ORDERED: The opening brief is due by 07/22/2024. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
18. 19-Jun-2024 FILED: Motion to Continue Stay of Appeal; Certification of Service; Order Staying Appeal (Appendix) (Appellant Pro Per)
19. 19-Jun-2024 FILED: Order to Continue Stay of Appeal; Certificate of Service (Appellant Pro Per)
20. 21-Jun-2024 ORDERED: Motion to Continue Stay of Appeal (Appellant Pro Per) = GRANTED and continuing the stay of this appeal until 7/19/24. FURTHER ORDERED: the stay will be lifted on 7/22/24 unless before that date appellant files a motion to continue the stay of the appeal that describes the status of the superior court proceedings. FURTHER ORDERED: within 10 days after superior court rules on motions, appellant must file a notice in this court with rulings attached. 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: opening brief is due by 8/21/24. If brief is not timely filed this court will dismiss this appeal. Melina Brill ProTem Judge - Author
21. 24-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
22. 4-Jul-2024 FILED: Notice of Superior Court Rulings; Certification of Service (Appellant Pro Per)
23. 4-Jul-2024 FILED: Exhibits A-D (Appellant Pro Per)
24. 22-Jul-2024 FILED: Motion to Continue Stay of Appeal; Certificate of Service; Order to Continue Stay of Appeal (Appellant Pro Per)
25. 22-Jul-2024 FILED: Exhibit A- Exhibit D (Appellant)
26. 22-Jul-2024 ORDERED: Motion to Continue Stay of Appeal (Appellant Pro Per) = GRANTED in part and continuing the stay of this appeal until 8/21/2024 to allow superior court to consider motion for a signed order corresponding to the minute entry dated 06/21/2024, filed 06/24/2024. FURTHER ORDERED: Appellant must file a motion asking the superior court to enter a signed order with a proposed order attached. FURTHER ORDERED: if superior court has not entered a signed order by 8/21/24, appellant may file a motion to continue the stay of this appeal that describes status of matter. 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: opening brief is due by 9/20/24. If the brief is not timely filed, this court will dismiss the appeal. Melina Brill ProTem Judge - Author
27. 16-Aug-2024 ORDERED: Consolidating cases 1 CA-CV 23-0813 and 1 CA-CV 24-0575. Case no. 1 CA-CV 23-0813 is designated the primary number, and all future documents filed in this appeal must use the caption shown on this order. FURTHER ORDERED: Affirming the 07/22/2024 order in appeal 1 CA-CV 23-0813 continuing the stay to allow appellant to obtain a signed order. Melina Brill ProTem Judge - Author
28. 22-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes signed minute entry filed 08/15/2024)