

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 24-0386 FC

NIELSEN v. NIELSEN

Appellate Case Information

Case Filed: 28-May-2024

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

Stephen Roy Smith, Esq. (AZ Bar No. 16030)

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

(Litigant Group) STATE

- State of Arizona, Real Party in Interest
Arizona Department of Economic Security, Real Party in Interest

Attorney for: Real Party State

Alyson M Foster, Esq. (AZ Bar No. 24141)

Side 2. ANGELA M. NIELSEN, Respondent/Appellant

(Litigant Group) ANGELA M. NIELSEN

- Angela M Nielsen

Attorney for: Appellant

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

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, FC2011-006226, Child Support, Melissa Zabor, Authoring Judge of Order.

2 OPEN DUE DATES

Case Management Statement due Due By: Monday, September 23, 2024

Re: FILED: Appellate Clerk Notice re: Appellant's Fee Deferred/Appellee's Fee Due/Case Management Statement/Brief Due

Opening Brief due Due By: Friday, October 11, 2024

Re: FILED: Appellate Clerk Notice re: Appellant's Fee Deferred/Appellee's Fee Due/Case Management Statement/Brief Due

21 PROCEEDING ENTRIES

- 1. 28-May-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/29/24
2. 29-May-2024 FILED: e-Record on Appeal: 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, 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, 18 Hearing Date 9/13/23 1, 2, 3, 4
3. 29-May-2024 FILED: Appellate Clerk Notice re: Continuing Deferral of Fees for Angela M. Nielsen, Appellant
4. 29-May-2024 FILED: Appellate Clerk Notice re: Appellant's Fee Deferred/Appellee's Fee Due/Case Management Statement/Brief Due
5. 30-May-2024 FILED: Settlement Conference Program Notice
6. 6-Jun-2024 FILED: Settlement Conference Program Notice
7. 11-Jun-2024 ORDERED: (per Sorensen v. Farmers) staying appeal to 7/12/24. FURTHER ORDERED: Revesting jurisdiction in Maricopa superior court, authorizing that court to consider motion for signed judgment with Rule 78(c) language and for a signed order. FURTHER ORDERED: Appellant must file motion asking superior court to enter signed judgment with rule 78(c) language corresponding to 04/28/23 judgment and a signed order corresponding to 04/03/24 minute entry. FURTHER ORDERED: If superior court has not entered signed documents by 07/12/24, appellant must file motion to continue stay otherwise court will dismiss this appeal. FURTHER ORDERED: Case management statement due by 07/22/24, opening brief due by 08/12/24, if brief is not timely filed, court will dismiss appeal. Melina Brill ProTem Judge - Author
8. 12-Jun-2024 FILED: Notice of Payment of Appellee's Filing Fee; Certificate of Service re: Notice of Payment of Appellee's Filing Fee (Appellee)

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 24-0386 FC****NIELSEN v. NIELSEN****21 PROCEEDING ENTRIES**

9. 18-Jun-2024 RECEIPT No.: 2024-00583 ; \$140.00, Authorization: #70011381604, Applied to: ERIK B. NIELSEN - Class B Filing Fee (\$140.00) Paid for: Fromm Smith & Gadow PC - By nCourt LLC
10. 1-Jul-2024 FILED: State's Notice of Appearance; State's Notice of Appearance (Duplicate) (Real Party in Interest State)
11. 1-Jul-2024 FILED: State's Notice of Appearance (Duplicate) (Real Party in Interest State)
12. 2-Jul-2024 FILED: Notice of Change of Firm Name; Certificate of Service Re: Notice of Change of Firm Name (Appellee)
13. 12-Jul-2024 FILED: Motion to Extend Stay of Appeal; Certificate of Service (Appellant Pro Per)
14. 15-Jul-2024 ORDERED: Motion to Extend Stay of Appeal (Appellant Pro Per) = GRANTED and continuing stay of appeal until 08/12/2024, for purposes set forth in this court's 06/11/2024 stay order. FURTHER ORDERED: Stay will be lifted automatically on 08/13/2024, unless before that date appellant files a motion to continue stay. If appellant does not file motion to continue, and superior court has not entered a signed Rule 78(c) judgment and a signed order, this court will dismiss this appeal. FURTHER ORDERED: Case management statement is due by 08/23/2024, and opening brief is due by 09/12/2024. If brief not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
15. 1-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes signed Rule 78(c) Order re: 4/28/23, 4/3/24, and 3/28/24)
16. 12-Aug-2024 FILED: Notice of Appearance; Certificate of Service (Appellant)
17. 12-Aug-2024 FILED: Motion to Extend Stay of Appeal; Certificate of Service (Appellant)
18. 13-Aug-2024 ORDERED: Motion to Extend Stay of Appeal (Appellant) = GRANTED and continuing stay of appeal until 09/10/2024, for purposes set forth in this court's 06/11/2024 stay order. FURTHER ORDERED: Stay will be lifted automatically on 09/11/2024, unless before that date appellant filed a motion to continue stay. If appellant does not file motion to continue stay and superior court has not entered signed Rule 78(c) judgment and signed order, this court will dismiss this appeal. FURTHER ORDERED: Case management statement due by 09/23/2024, and opening brief due by 10/11/2024. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
19. 16-Aug-2024 ORDERED: Continuing stay of this appeal until 09/10/2024, and authorizing the superior court to consider a motion for a signed judgment with full Rule 78(c) language corresponding to the 04/28/2023 judgment. FURTHER ORDERED: Directing the Clerk of the Maricopa County Superior Court to transmit a certified copy of the Rule 78(c) judgment within 10 days after entry, marked for filing in this appeal. The stay will be lifted automatically when this court receives the signed Rule 78(c) judgment. FURTHER ORDERED: Stay will be lifted automatically on 09/11/2024, unless before that date appellant files a motion to continue the stay. If appellant does not file a motion to continue the stay and the superior court has not entered a signed Rule 78(c) judgment, this court will dismiss this appeal. FURTHER ORDERED: Case management statement is due by 09/23/2024, and the opening brief is due by 10/11/2024. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
20. 10-Sep-2024 FILED: Notice of Filing Trial Court Order Re: ARFLP 78(c) Language and Request to Lift Stay; Certificate of Service; Order Re Final Appealable Order (Appellant)
21. 12-Sep-2024 ORDERED: Notice of Filing Trial Court Order Re: ARFLP 78(c) Language and Request to Lift Stay (Appellant) = GRANTED. Affirming the stay of this appeal is lifted. FURTHER ORDERED: The case management statement is due by 09/23/2024, and the opening brief is due by 10/11/2024. If the statement and brief are not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author