

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 24-0527 FC

GALLEGO/GALLEGO v. WA FREE BEACON

Appellate Case Information

Case Filed: 16-Jul-2024

Case Closed:

Dept/Composition

Department E

Hon. Brian Y Furuya
Hon. James B Morse
Hon. David D Weinzweig

Side 1. In Re the Marriage of:

RUBEN GALLEGO

Petitioner/Appellant

and

KATHERINE SW GALLEGO

Respondent/Appellant, Petitioner/Appellant

(Litigant Group) GALLEGO/GALLEGO

- Ruben Gallego
Kate Gallego, Respondent/Appellant

Attorneys for: Appellants

Roy Herrera, Esq. (AZ Bar No. 32901)
Daniel A Arellano, Esq. (AZ Bar No. 32304)
Austin T Marshall, Esq. (AZ Bar No. 36582)

Side 2. THE WASHINGTON FREE BEACON, Real Party in Interest/Appellee

(Litigant Group) WA FREE BEACON

- Washington Free Beacon

Co-Counsel for: Real Party in Interest/Appellee

Cory A Stuart, Esq. (AZ Bar No. 23017)
Michael J Edney, Esq. (DC Bar No. michael.edney)

CASE STATUS

Aug 26, 2024...Assigned

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, P1300DO201601004, John David Napper, Authoring Judge of Order.

4 OPEN DUE DATES

Response to Motion due Due By: Thursday, September 5, 2024

Re: FILED: Appellants' Motion for Clarification; Certificate of Service (Appellant)

Opening Brief due Due By: Friday, September 13, 2024

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

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

Re: * ORDERED: The Washington Free Beacon's Emergency Request for Expedited Briefing and Hearing Schedule (Appellee) = GRANTED in part. FURTHER ORDERED: Appellant's must file opening brief, addressing both jurisdiction and the merits of the appeal, by 09/13/2

Reply Brief due Due By: Friday, September 27, 2024

Re: * ORDERED: The Washington Free Beacon's Emergency Request for Expedited Briefing and Hearing Schedule (Appellee) = GRANTED in part. FURTHER ORDERED: Appellant's must file opening brief, addressing both jurisdiction and the merits of the appeal, by 09/13/2

CALENDAR

Thursday MONTHLY COURT CASE CALENDAR
10-Oct-2024 Department E; CONFERENCE ROOM

Mixed

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 24-0527 FC****GALLEGO/GALLEGO v. WA FREE BEACON****21 PROCEEDING ENTRIES**

1. 16-Jul-2024 FILED: Appellants' Emergency Motion for Stay Pending Appeal; Courtesy Copy of Notice of Appeal filed in the Superior Court of Yavapai County 7/15/24; Certificate of Service; (Untitled) Exhibits (Appellants)
2. 17-Jul-2024 ORDERED: Directing appellee to respond to the motion by 07/24/2024. FURTHER ORDERED: Directing appellants to reply to the response by 07/29/2024. FURTHER ORDERED: Staying enforcement of the superior court's 07/03/2024 order pending the court's ruling on the emergency motion. Hon David B Gass - Author
3. 18-Jul-2024 FILED: Washington Free Beacon's Motion to Amend Scheduling Order on Emergency Motion for Stay; Certificate of Service (Real Party in Interest/Appellee)
4. 19-Jul-2024 RECEIPT No.: 2024-00707 ; \$280.00, Authorization: #01004812758, Applied to: GALLEGO/GALLEGO - Class A Filing Fee (\$280.00) Paid for: Herrera Arellano LLP - By nCourt LLC
5. 19-Jul-2024 ORDERED: Washington Free Beacon's Motion to Amend Scheduling Order on Emergency Motion for Stay (Real Party in Interest/Appellee) = DENIED. Hon David B Gass - Author
6. 23-Jul-2024 RECEIPT No.: 2024-00726 ; \$140.00, Authorization: #05011565311, Applied to: WA FREE BEACON - Class B Filing Fee (\$140.00) Paid for: Stuart & Blackwell PLLC - By nCourt LLC
7. 24-Jul-2024 FILED: The Washington Free Beacon's Opposition To Appellant's Emergency Motion For a Stay; Certificate of Service (Appellee)
8. 29-Jul-2024 FILED: Appellants' Reply in Support of Emergency Motion for Stay Pending Appeal; Certificate of Service (Appellant)
9. 30-Jul-2024 ORDERED: Appellants' Emergency Motion for Stay Pending Appeal (Appellants) = GRANTED and staying enforcement of the superior court's 07/03/2024 order pending further order of the court. Hon David B Gass - Author
10. 7-Aug-2024 FILED: e-Record on Appeal (SEALED):
Instruments/Minute Entries
Exhibits: None
11. 7-Aug-2024 FILED: Appellate Clerk Notice re: Appellant's Fee Paid/Appellee's Fee Paid/Case Management Statement/Brief Due
12. 12-Aug-2024 ORDERED: By 09/06/2024, parties shall file separate memoranda of no more than 15 pages addressing whether the court has jurisdiction over this appeal. FURTHER ORDERED: Staying this appeal pending further order of the court. Court will set due dates for the case management statement and opening brief, if necessary, after it determines whether it has jurisdiction over this appeal. Hon David B Gass - Author
13. 13-Aug-2024 FILED: The Washington Free Beacon's Emergency Request for Expedited Briefing and Hearing Schedule; Certificate of Service (Appellee)
14. 14-Aug-2024 ORDERED: Appellants shall file any response to the motion by 08/19/2024, at 12:00 p.m. The court will rule on the motion following expiration of the time for the response. Hon David B Gass - Author
15. 19-Aug-2024 FILED: Appellant's Response Opposing the Washington Free Beacons' Emergency Request for Expedited Briefing and Hearing Schedule; Order Re: Response; Certificate of Service (Appellant)
16. 19-Aug-2024 ORDERED: The Washington Free Beacon's Emergency Request for Expedited Briefing and Hearing Schedule (Appellee) = GRANTED in part. FURTHER ORDERED: Appellant's must file opening brief, addressing both jurisdiction and the merits of the appeal, by 09/13/2024. FURTHER ORDERED: Appellee must file the answering brief by 09/20/2024. FURTHER ORDERED: Optional reply brief must be filed by 09/27/2024. The court does not anticipate granting any briefing extensions. FURTHER ORDERED: Vacating the 09/06/2024 due date for the memoranda on jurisdiction. The parties must address the jurisdiction issue in the briefing. FURTHER ORDERED: Directing the clerk of this court to schedule this appeal for disposition under ARCAP 29 after it is at issue. The parties are reminded, however, that once this appeal is assigned to a panel, it may be removed from accelerated disposition if the panel concludes it is not suitable for acceleration. ARCAP 29(g). FURTHER ORDERED: Notwithstanding ARCAP 18(a), that any request for oral argument must be filed not later than the due date for the reply brief. Hon David B Gass - Author
17. 21-Aug-2024 FILED: Appellants' Motion for Clarification; Certificate of Service (Appellant)
18. 21-Aug-2024 ORDERED: Appellants' Motion for Clarification (Appellant) = GRANTED and clarifying the 08/21/2024 Order Lifting Stay does not affect the 07/30/2024 order staying enforcement of the superior court's order. Hon David B Gass - Author
19. 21-Aug-2024 ORDERED: Lifting stay of this appeal. Melina Brill ProTem Judge - Author
20. 26-Aug-2024 CLNDR: CONFERENCE, Department E, 10-10-24, CONFERENCE ROOM.
21. 27-Aug-2024 FILED: Case Management Statement (Appellant)