

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 24-0946 FC

FULLER v. FULLER

Appellate Case Information

Case Filed: 9-Aug-2024

Case Closed:

Dept/Composition

Department E

Hon. D Steven Williams
Hon. Andrew M Jacobs
Hon. Michael S Catlett

Side 1. STATE OF ARIZONA, ex rel. ADES (NANCY A. FULLER), Petitioner/Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona
Arizona Department of Economic Security

(Litigant Group) NANCY ANN FULLER

- Nancy Ann Fuller

PRO SE

Attorneys for: Petitioner/Appellee State

Faith Van Horn, Esq. (AZ Bar No. 34293)

Side 2. STEPHEN L. FULLER, Respondent/Appellant

(Litigant Group) STEPHEN L. FULLER

- Stephen L Fuller

Attorneys for: Respondent/Appellant

Edward Jakob Walneck, Esq. (AZ Bar No. 32629)

CASE STATUS

Mar 19, 2026....Under Advisement

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: CON, S0300DO202000227, Petition to Relocate Minor Children...

55 PROCEEDING ENTRIES

Table with 3 columns: Entry Number, Date, Description. Entries 1-14 detailing case management statements, notices, and filings.

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 24-0946 FC****FULLER v. FULLER****55 PROCEEDING ENTRIES**

15. 20-Feb-2025 ORDERED: (per Sorensen v. Farmers) staying appeal until 03/24/2025, re-vesting jurisdiction in superior court and authorizing that court to consider a motion for a signed judgment with Rule 78(c) language. FURTHER ORDERED: Appellant must file motion asking superior court to enter signed judgment. If no judgment has been signed by 03/24/2025, appellant must file motion to continue stay of appeal that describes status of matter. Otherwise, this court will dismiss appeal. FURTHER ORDERED: Opening brief due by 04/23/2025. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
16. 13-Mar-2025 FILED: Order Re: Verified Motion to Set Aside Pursuant to Rule 85 ARFLP (Certified Copy)
17. 28-Mar-2025 ORDERED: Continuing the stay of this appeal until 04/23/2025, to allow the superior court to consider a motion for a signed judgment with full Rule 78(c) language. FURTHER ORDERED: Appellant must file a motion asking the superior court to enter a signed judgment with Rule 78(c) language. FURTHER ORDERED: The stay will be lifted automatically on 04/24/2025, 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: The opening brief is due by 05/27/2025. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
18. 3-Apr-2025 FILED: Physical Exhibits: Hearing Date: 10/8/2021 - 12, 13, 14, 15, 17
19. 21-Apr-2025 FILED: Additional Record on Appeal: Physical Exhibits - HearingDate 10/8/21 16, 19, 20, 21, 22, 23, 25, 26, 27, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 51, 52, 53, 54, 55, 56, 57, 58, 79, 89, 90
20. 23-Apr-2025 FILED: Motion to Continue Temporary Stay of Appeal; Certificate of Service (Appellant)
21. 23-Apr-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Signed Rule 78(c) Judgment)
22. 25-Apr-2025 ORDERED: Motion to Continue Temporary Stay of Appeal (Appellant) = DENIED. Appellant is reminded the opening brief is due by 05/27/2025. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
23. 28-Apr-2025 FILED: Appellate Clerk Notice re: No Appellee's Fee; Appellant's Brief Due
24. 28-Apr-2025 FILED: Amended Appellate Clerk Notice re: Appellee Nancy Ann Fuller's Fee Due; No fee for Appellee State of Arizona; Appellant's Brief Due
25. 28-Apr-2025 FILED: Settlement Conference Program Notice
26. 12-May-2025 FILED: Certificate of Compliance Re: Payment of Appellee Filing Fee and [sic]; Certificate of Service of Certificate of Compliance Re: Payment of Appellee Filing Fee (Appellee N Fuller)
27. 16-May-2025 RECEIPT No.: 2025-00576 ; \$165.00, Authorization: #36010281773, Applied to: NANCY ANN FULLER - Class B Filing Fee (\$165.00) Paid for: Cervone Law PC - By nCourt LLC
28. 22-May-2025 FILED: First Motion for Procedural Order to Extend Time to File Opening Brief; Certificate of Service (Appellant)
29. 23-May-2025 ORDERED: First Motion for Procedural Order to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 05-27-2025 to Friday, 06-27-2025. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
30. 27-Jun-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
31. 2-Aug-2025 FILED: Motion to Extend Due Date of Answering Brief; Certificate of Service of Motion to Extend Due Date of Answering Brief (Appellee N Fuller)
32. 4-Aug-2025 ORDERED: Motion to Extend Due Date of Answering Brief (Appellee N Fuller) = GRANTED. Due date EXTENDED from Wednesday, 08-06-2025 to Wednesday, 08-20-2025. 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
33. 20-Aug-2025 FILED: Appellee's Answering Brief; Certificate of Compliance for Answering Brief; Certificate of Service of Appellee's Answering Brief (Appellee N. Fuller)
34. 5-Sep-2025 FILED: First Motion to Extend Time to File Reply Brief; Certificate of Service (Appellant)
35. 8-Sep-2025 ORDERED: First Motion to Extend Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 09-09-2025 to Tuesday, 09-16-2025. The court will not grant any further extension absent new and unforeseen circumstances. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
36. 16-Sep-2025 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
37. 26-Sep-2025 FILED: Request for Oral Argument; Certificate of Service (Appellant)
38. 1-Oct-2025 ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Randall M Howe - Author
39. 16-Oct-2025 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
40. 27-Oct-2025 CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 12-11-25, 10:15 am, COURTROOM 2.

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41.	27-Oct-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record
42.	13-Nov-2025	FILED: Notice of Oral Argument
43.	18-Nov-2025	ORDERED: Directing the parties to file supplemental briefs addressing the following (see order). FURTHER ORDERED: Parties shall file supplemental briefs no later than 30 days after the 12/16/2025 hearing. Motions for extension of time will not be granted absent extraordinary circumstances. FURTHER ORDERED: Staying this appeal until briefing is complete, at which point the stay will be automatically lifted. FURTHER ORDERED: Vacating the conference and oral argument scheduled for 12/11/2025. Hon D Steven Williams - Author
44.	11-Dec-2025	FILED: Motion to Stay Appeal and Revest Jurisdiction; Certificate of Service (Appellant)
45.	2-Jan-2026	FILED: Petitioner's/Appellee's Motion to Withdraw as Attorney of Record for Petitioner/Appellee; Certificate of Service of Petitioner's/Appellee's Motion to Withdraw as Attorney of Record for Petitioner/Appellee (Appellee N. Fuller)
46.	12-Jan-2026	ORDERED: That the superior court in this matter is revested with jurisdiction to rule on Father's pending "Rule 85 Motion to Correct Clerical Mistake or Mistake Arising from Oversight." FURTHER ORDERED: Continuing the stay of this appeal until the superior court rules on Father's pending "Rule 85 Motion to Correct Clerical Mistake or Mistake Arising from Oversight." The stay shall be automatically lifted upon this Court's receipt of documentation that the superior court has ruled on that motion. Hon D Steven Williams - Author
47.	13-Jan-2026	FILED: Notice Regarding Supplemental Briefing; Certificate of Service; Exhibit A (Appellant)
48.	14-Jan-2026	FILED: Notice Regarding Supplemental Briefing; Notice Regarding Supplemental Briefing (Duplicate); Notice Regarding Supplemental Briefing (Duplicate); Notice Regarding Supplemental Briefing (Duplicate) (Appellee)
49.	22-Jan-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
50.	9-Feb-2026	ORDERED: Petitioner's/Appellee's Motion to Withdraw as Attorney of Record for Petitioner/Appellee (Appellee N. Fuller) = GRANTED and allowing Kristina L. Cervone to withdraw as counsel for Appellee for the purposes of the appeal. FURTHER ORDERED: Directing the clerk of the court to distribute a copy of this order, and any future correspondence to Appellee Nancy A. Fuller personally. Hon D Steven Williams - Author
51.	9-Feb-2026	ORDERED: Granting Father's request. The parties must file supplemental briefs addressing whether the relocation issue is moot by way of Mother and the children's return to Arizona and the superior court's disposition of Father's pending petition. The supplemental briefs are due no later than 30 days after the superior court's 02/10/2026 evidentiary hearing. Motions for extension of time will not be granted absent extraordinary circumstances. FURTHER ORDERED: Denying Mother's motion to dismiss the appeal. Mother does not cite any legal basis for her motion to dismiss. Nothing in this order affects this court's 01/12/2026 order staying this appeal and revesting jurisdiction in the superior court. Hon D Steven Williams - Author
52.	9-Mar-2026	FILED: Supplemental Notice of Superior Court Order; Certificate of Compliance; Certificate of Service; Courtesy Copy- Coconino County Superior Court- Under Advisement Ruling Re: Petition for Relocation to Arizona and Petition for Modification of Parenting Time, Legal Decision-Making and Child Every (Appellee N. Fuller)
53.	12-Mar-2026	FILED: Supplemental Brief; Certificate of Service (Appellant)
54.	19-Mar-2026	ORDERED: lifting the stay of this appeal. A decision resolving the remaining issues Father has raised on appeal will be issued in due course. Hon D Steven Williams - Author
55.	29-May-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record