

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 25-0146 FC

LAVICKA v. LAVICKA

Appellate Case Information

Case Filed: 19-Feb-2025

Case Closed:

Dept/Composition

Department E

Hon. Michael J Brown
Hon. Veronika Fabian
Hon. David D Weinzweig

Side 1. In re the Matter of:

KELSEY WILLIAM LAVICKA, Petitioner/Appellee

(Litigant Group) KELSEY WILLIAM LAVICKA

- Kelsey William Lavicka

Attorneys for: Petitioner/Appellee

Kelly Mendoza, Esq. (AZ Bar No. 25154)

Charles E Sears, Esq. (AZ Bar No. 27493)

Side 2. TAMMY THERESA LAVICKA, Respondent/Appellant

(Litigant Group) TAMMY THERESA LAVICKA

- Tammy Theresa Lavicka

Attorneys for: Respondent/Appellant

DeeAn Gillespie Strub, Esq. (AZ Bar No. 9987)

Mark A Shields, Esq. (AZ Bar No. 18614)

Connor L Dennison, Esq. (AZ Bar No. 21051)

Kristina L Cervone, Esq. (AZ Bar No. 28516)

CASE STATUS

May 12, 2026... Decision Rendered

PREDECESSOR CASE(S)

Table with 6 columns: MAR, FC2017-003984, Child Support, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo

3 OPEN DUE DATES

Motion for Reconsideration Due Due By: Wednesday, May 27, 2026

Re: MEMORANDUM DECISION (Affirmed in Part, Vacated, Remanded in Part) Hon David D Weinzweig - Author; Hon Michael J Brown - Concur; Hon Veronika Fabian - Concur; Hon Veronika Fabian - Special Concurrence

Petition for Review to ASC Due Due By: Thursday, June 11, 2026

Re: MEMORANDUM DECISION (Affirmed in Part, Vacated, Remanded in Part) Hon David D Weinzweig - Author; Hon Michael J Brown - Concur; Hon Veronika Fabian - Concur; Hon Veronika Fabian - Special Concurrence

Response to Attorneys Fees Due Due By: Thursday, June 11, 2026

Re: FILED: Application for Attorney's Fees; Certificate of Service (Appellant)

2 PENDING MATTERS

General Motion Filed: 28-May-2026
Application for Attorney's Fees (Appellant)

Motion for Extension of Time Filed: 28-May-2026
Motion For Leave To File Application For Attorney's Fees One Day Out Of Time And For Extension Of Time Due To Excusable Neglect (Appellant)

CASE DECISION

12-May-2026 MEMORANDUM DECISION

David Weinzweig.....Author
Michael Brown.....Concur
Veronika Fabian.....Concur
Special Concurrence

Filed: 12-May-2026 Mandate:

Table with Decision Disposition: Affirmed in Part, Vacated, Remanded in Part

37 PROCEEDING ENTRIES

1. 19-Feb-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 01/21/25

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2. 19-Feb-2025 FILED: e-Record on Appeal:  
Instruments/Minute Entries  
Exhibits: HEaring Date 2/15/23 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 16, 17, 18, 19, 20, 21, 22, 24 Hearing Date 1/25/24 1, 2, 4, 5, 6, 7, 8, 9, 10, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33  
  
Digital Exhibits: Petitioner Hearing Date 10/30/24 1, 2, 3, 4, 15, 16, 17, 18, 19, 20, 21, 23, 24, 35, 36 Respondent Hearing Date 10/30/24 1, 8
3. 19-Feb-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 19-Feb-2025 FILED: Additional Record on Appeal:  
Physical Exhibits: Hearing Date 08/09/2017 - List # 1 2 in Manila Envelope; Hearing Date 02/15/2023 - List # 26 27 28 in Manila Envelope; Hearing Date 12/19/2018 - List # 1 2 3 4 5 6 7 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 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 in a Box; Hearing Date 01/25/2024 - List # 30 31 in Manila Envelope
5. 19-Feb-2025 FILED: Notice of Appearance for Petitioner/Appellee Kelsey Lavicka; Petitioner/Appellee Kelsey William Lavicka's Certificate of Service (Appellee)
6. 20-Feb-2025 FILED: Notice of Payment of Appearance Fee for Petitioner/Appellee, Kelsey Lavicka; Certificate of Service Re: Notice of Payment of Appearance Fee for Petitioner/Appellee, Kelsey Lavicka (Appellee)
7. 26-Feb-2025 RECEIPT No.: 2025-00198 ; \$165.00, Authorization: #57008923926, Applied to: KELSEY WILLIAM LAVICKA - Class B Filing Fee (\$165.00) Paid for: Kelly Mendoza - By nCourt LLC
8. 5-Mar-2025 FILED: Notice of Payment of Appearance Fee for Respondent/Appellant; Certificate of Service Re: Notice of Payment of Appearance Fee (Appellant)
9. 10-Mar-2025 RECEIPT No.: 2025-00240 ; \$330.00, Authorization: 69017996435, Applied to: TAMMY THERESA LAVICKA - Class A Filing Fee (\$330.00) Paid for: Gillespie Shields & Taylor - By nCourt LLC
10. 11-Mar-2025 FILED: Case Management Statement (Appellant)
11. 19-Mar-2025 FILED: Reporter's Transcript - 11/05/2024 - Evidentiary Hearing (Jan Penfield) (Appellant)
12. 19-Mar-2025 ORDERED: (per Sorensen v. Farmers) staying appeal until 04/21/2025, revesting 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 04/21/2025, 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 05/21/2025. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
13. 21-Apr-2025 FILED: Motion to Continue Stay; Certificate of Service Re: Motion to Continue Stay (Appellant)
14. 22-Apr-2025 ORDERED: Motion to Continue Stay (Appellant) = GRANTED and continuing the stay of this appeal until 05/22/2025, for the purposes set forth in this court's 03/19/2025 stay order. FURTHER ORDERED: The stay will be lifted automatically on 05/23/2025, 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 06/23/2025. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
15. 9-May-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Signed Rule 78(c) Judgment)
16. 20-Jun-2025 FILED: Unopposed Motion to Extend Opening Brief Deadline; Certificate of Service Re: Unopposed Motion to Extend Opening Brief Deadline (Appellant)
17. 20-Jun-2025 ORDERED: Unopposed Motion to Extend Opening Brief Deadline (Appellant) = GRANTED. Due date EXTENDED from 06/23/2025 to 07/23/2025. If the brief is not timely filed, the court will dismiss this appeal. Steven C Lawrence ProTem Judge - Author
18. 30-Jun-2025 FILED: Appellate Clerk Notice re: Appellee's Fee paid; Appellant's Brief Due
19. 2-Jul-2025 FILED: Settlement Conference Program Notice
20. 23-Jul-2025 FILED: Appellant's Request to Extend the Deadline to File her Appellate Brief; Appellant's Request to Extend the Deadline to File her Appellate Brief (Duplicate) (Certificate of Service); Appellant's Request to Extend the Deadline to File her Appellate Brief (Duplicate) (Appellant)
21. 23-Jul-2025 FILED: (Proposed) Order Granting Appellant's Request to Extend the Deadline to File her Appellate Brief; (Proposed) Order Granting Appellant's Request to Extend the Deadline to File her Appellate Brief (Duplicate) (Appellant)
22. 24-Jul-2025 ORDERED: Appellant's Request to Extend the Deadline to File her Appellate Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 07-23-2025 to Wednesday, 08-06-2025. No further extension will be granted. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
23. 6-Aug-2025 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)

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24. 20-Aug-2025 FILED: Notice of Errata; Certificate of Service (Appellant)
25. 15-Sep-2025 FILED: Petitioner/Appellee Kelsey Lavicka's Answering Brief; Petitioner/Appellee's Certificate of Compliance; Certificate of Service Re: Petitioner/Appellee Kelsey Lavicka's Answering Brief (Appellee)
26. 2-Oct-2025 FILED: Unopposed Motion for 30 Day Extension to File Reply Brief; Certificate of Service (Appellant)
27. 3-Oct-2025 ORDERED: Unopposed Motion for 30 Day Extension to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 10-06-2025 to Wednesday, 11-05-2025. Melina Brill ProTem Judge - Author
28. 29-Oct-2025 FILED: Notice of Appearance as Co-Counsel for Respondent/Appellant; (Duplicate) Notice of Appearance as Co-Counsel for Respondent/Appellant (Appellant)
29. 5-Nov-2025 FILED: Respondant/Appellant's Reply Brief; Certificate of Compliance for Reply Brief; Certificate of Service for Reply Brief (Appellant)
30. 26-Dec-2025 CLNDR: CONFERENCE, Department E, 2-12-26, COURTROOM 2.
31. 26-Dec-2025 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
32. 5-Jan-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record
33. 11-Mar-2026 FILED: Notice of Change of Law Firm Address; Certificate of Service re: Notice of Change of Law Firm Address (Appellee)
34. 12-May-2026 MEMORANDUM DECISION (Affirmed in Part, Vacated, Remanded in Part) Hon David D Weinzweig - Author; Hon Michael J Brown - Concur; Hon Veronika Fabian - Concur; Hon Veronika Fabian - Special Concurrence
35. 12-May-2026 FILED: Decision Distribution Notification
36. 28-May-2026 FILED: Motion For Leave To File Application For Attorney's Fees One Day Out Of Time And For Extension Of Time Due To Excusable Neglect; Certificate of Service (Appellant)
37. 28-May-2026 FILED: Application for Attorney's Fees; Certificate of Service (Appellant)