

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 25-0185 FC

HESLINGTON v. FIRTH

Appellate Case Information

Case Filed: 6-Mar-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:

DANIELLE HESLINGTON, Petitioner/Appellee

(Litigant Group) DANIELLE HESLINGTON

- Danielle Heslington

Attorneys for: Petitioner/Appellee

Randi Burggraff, Esq. (AZ Bar No. 31576)

Michael Dinn, Esq. (AZ Bar No. 33245)

Side 2. BRADY M. FIRTH, Respondent/Appellant

(Litigant Group) BRADY M. FIRTH

- Brady M Firth

Attorneys for: Respondent/Appellant

Kristen J DeWitt-Lopez, Esq. (AZ Bar No. 24245)

CASE STATUS

Jan 8, 2026.....Under Advisement

PREDECESSOR CASE(S)

Table with 6 columns: MAR, FC2019-004149, Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo

PENDING MATTER

Order to Show Cause - Attorney

\*\* ORDERED: Dewitt-Lopez shall appear in Courtroom 1 on 1/22/26 at 10:15 am to show cause, if any, why she personally should not be sanctioned for the citation errors described above and in Exhibit A (see order). FURTHER ORDERED that at the hearing, DeW

Filed: 12-Jan-2026

Scheduled: 22-Jan-2026

33 PROCEEDING ENTRIES

- 1. 6-Mar-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/06/25
2. 6-Mar-2025 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 6-Mar-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 6-Mar-2025 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 01/10/2020 - List # 3 4 5 6 in Manila Envelope
5. 21-Mar-2025 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant)
6. 26-Mar-2025 RECEIPT No.: 2025-00302 ; \$330.00, Authorization: # 85010154974, Applied to: BRADY M. FIRTH - Class A Filing Fee (\$330.00) Paid for: DeWitt-Lopez Law PC - By nCourt LLC
7. 31-Mar-2025 ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 04/30/2025, re-vesting jurisdiction in superior court and authorizing that court to consider motion for signed order re: minute entry dated 01/07/2025, filed 01/08/2025. FURTHER ORDERED: Appellant must file motion asking superior court to enter signed order. If no order has been signed by 04/30/2025, appellant must file motion to continue this appeal that describes status of motion. FURTHER ORDERED: Case management statement due by 05/12/2025, and opening brief due by 05/30/2025. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
8. 4-Apr-2025 FILED: Notice of Appearance as Attorneys of Record for Petitioner/Appellee; Certificate of Service (Appellee)
9. 10-Apr-2025 RECEIPT No.: 2025-00364 ; \$165.00, Authorization: #00011272801, Applied to: DANIELLE HESLINGTON - Class B Filing Fee (\$165.00) Paid for: Burggraff Tash Levy PLC - By nCourt LLC
10. 30-Apr-2025 FILED: Motion to Continue Stay; Motion to Continue Stay (Duplicate) (Appellant)

**Court of Appeals, Division One****Civil - Family Court****1 CA-CV 25-0185 FC****HESLINGTON v. FIRTH****33 PROCEEDING ENTRIES**

11. 2-May-2025 ORDERED: Motion to Continue Stay (Appellant) = GRANTED and continuing the stay of this appeal until 05/14/2025, for the purposes set forth in this court's 03/21/2025 stay order. FURTHER ORDERED: The stay will be lifted automatically on 05/15/2025, 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 order, this court will dismiss this appeal. FURTHER ORDERED: The case management statement is due by 05/29/2025, and the opening brief is due by 06/16/2025. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
12. 15-May-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Signed ME)
13. 19-May-2025 FILED: Appellate Clerk Notice re: Appellee's Filing Fee of \$165.00 was paid on 04/10/2025; Appellant's Brief/Case Management Statement Due
14. 19-May-2025 FILED: Settlement Conference Program Notice
15. 28-May-2025 FILED: Reporter's Transcript - 11/20/2024 - Trial (Angela Furniss Miller) (Appellant)
16. 28-May-2025 FILED: Case Management Statement (Appellant)
17. 16-Jun-2025 FILED: Appellant's Opening Brief; Conclusion (Certificate of Compliance); Conclusion (Duplicate) (Certificate of Service) (Appellant)  
[Replaced with amended brief filed 07/28/2025]
18. 22-Jul-2025 FILED: Appellant's Amended Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)  
[Stricken per order filed 07/24/2025]
19. 24-Jul-2025 ORDERED: Striking the opening brief filed on 07/22/2025. Melina Brill ProTem Judge - Author
20. 28-Jul-2025 FILED: Motion to File Amended Brief; Certificate of Service (Appellant)
21. 28-Jul-2025 FILED: Appellant's Amended Opening Brief; Untitled (Certificate of Compliance); Certificate of Service (Duplicate) (Appellant)  
[Accepted per order filed 08/27/2025]
22. 28-Jul-2025 ORDERED: Vacating the 08/04/2025 due date for the answering brief. The order ruling on the pending motion will set a due date to file the answering brief. Melina Brill ProTem Judge - Author
23. 15-Aug-2025 FILED: Objection to Respondent/Appellant's Motion to File Amended Brief; Certificate of Service (Appellee)
24. 27-Aug-2025 ORDERED: Motion to File Amended Brief (Appellant) = GRANTED and accepting the amended opening brief filed on 07/28/2025, in place of the brief filed on 06/16/2025. FURTHER ORDERED: The answering brief is due by 09/29/2025. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. FURTHER ORDERED: Appellee may request attorney fees and costs in the answering brief in connection with this motion. The court does not express an opinion on whether attorney fees and costs will be awarded. Hon Randall M Howe - Author
25. 29-Sep-2025 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
26. 21-Oct-2025 FILED: Appellant's Reply Brief; Appellant's Reply Brief; Appellant's Reply Brief (Appellant)
27. 21-Oct-2025 FILED: Notice of Errata; Notice of Errata (Appellant)
28. 12-Nov-2025 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
29. 21-Nov-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record
30. 25-Nov-2025 CLNDR: CONFERENCE, Department E, 1-8-26, COURTROOM 1.
31. 12-Jan-2026 ORDERED: Dewitt-Lopez shall appear in Courtroom 1 on 1/22/26 at 10:15 am to show cause, if any, why she personally should not be sanctioned for the citation errors described above and in Exhibit A (see order). FURTHER ORDERED that at the hearing, DeWitt-Lopez shall be prepared to testify under oath to show cause, if any, as to: (1) whether she relied on artificial intelligence tools in drafting the Brief; (2) the extent of her efforts to ensure accuracy of the legal authorities and citation formats contained within the Brief; (3) how the "incorrect citations inadvertently remained" in the Brief; (4) her basis for the statement that "the corrected citations do not alter the substance of Father's arguments"; (5) what steps she has taken and will take to ensure similar issues do not recur; (6) whether the Court should strike the Brief; and (7) whether the Court should order her to pay attorneys' fees and costs to Mother as a sanction for creating or allowing the Citation Errors identified in Exhibit A. FURTHER ORDERED that before the Show Cause hearing, DeWitt-Lopez may file a document addressing the concerns listed above. FURTHER ORDERED staying this appeal until further order of the Court. FURTHER ORDERED directing DeWitt-Lopez to forward a copy of this order to Father. Because Father resides in a different state, if he desires to observe the Show Cause hearing, the Court anticipates that the hearing will be livestreamed and recorded on the Court's YouTube channel. Hon Michael J Brown - Author
32. 20-Jan-2026 FILED: Written Response for Consideration Before Show Cause Hearing; Certificate of Service (Appellant)
33. 12-Feb-2026 ORDERED: Lifting the stay of this appeal. A decision will be issued in due course. Hon Michael J Brown - Author