

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 25-0351 FC

CARLSON v. CARLSON

Appellate Case Information

Case Filed: 6-May-2025

Case Closed:

Dept/Composition

Side 1. In re the Marriage of:

DEVRIE CARLSON, Petitioner/Appellee

(Litigant Group) DEVRIE CARLSON

• Devrie Carlson

Attorneys for: Petitioner/Appellee

Adam M Weingart, Esq. (AZ Bar No. 32096)

Side 2. DUANE CARLSON, Respondent/Appellant

(Litigant Group) DUANE CARLSON

• Duane Cody Carlson

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Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: NAV S0900DO202200337, Petition for Dissolution of Non-Covenant Marriage with Minor Children, Joseph Samuel Clark, Authoring Judge of Order.

OPEN DUE DATE

Opening Brief Filing Due

Due By:

Monday, June 8, 2026

[1 extension]

Re: ORDERED: Lifting Stay of this appeal. FURTHER ORDERED: The opening brief is due by 06/08/2026. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author

48 PROCEEDING ENTRIES

- 1. 6-May-2025 FILED: Index of Record, Notice of Appeal from Navajo County Superior Court filed 04/30/25
2. 6-May-2025 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 6-May-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 9-May-2025 FILED: Courtesy Copy - Clerk's Notice of Filing Notice of Appeal and Index of Reported Hearings, filed 05/06/2025 in Navajo County Superior Court
5. 19-May-2025 RECEIPT No.: 2025-00586 ; \$330.00, Authorization: 39017701782, Applied to: DUANE CARLSON - Class A Filing Fee (\$330.00) Paid for: DUANE CARLSON - By nCourt LLC
6. 27-May-2025 FILED: Case Management Statement (Appellant Pro Per)
7. 27-May-2025 FILED: Motion to File Digital Court Record (Appellant Pro Per)
8. 27-May-2025 FILED: 1 Disc DO 2022-337 dated 02/21/2024 1 Disc DO 2022-337 dated 04/17/2024 1 Disc DO 2022-337 dated 01/31/2024 1 Disc DO 2022-337 dated 10/24/2023
9. 11-Jun-2025 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
10. 11-Jun-2025 FILED: Settlement Conference Program Notice
11. 12-Jun-2025 FILED: Motion to Dismiss Father's Appeal; Certificate of Service (Appellee)
12. 13-Jun-2025 ORDERED: Motion to Dismiss Father's Appeal (Appellee) = DENIED. FURTHER ORDERED: (per Sorensen v. Farmers) staying appeal to/including 07/14/2025, revesting jurisdiction in superior court and authorizing that court to consider pending motion. FURTHER ORDERED: If superior court grants motion, appellant must file a notice in this court indicating whether appellant intends to pursue appeal. If a party wants this court to review any additional filings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: The opening brief is due by 08/13/2025. If the brief is not timely filed, this court will dismiss this appeal.
13. 13-Jun-2025 ORDERED: Motion to File Digital Court Record (Appellant Pro Per) = GRANTED and accepting the recordings of the 10/24/2023, 01/31/2024, 02/21/2024, and 04/17/2024 proceedings. FURTHER ORDERED: By 06/24/2025, appellant must serve the recordings as required under Rule 11(f), Arizona Rules of Civil Appellate Procedure, if he has not done so already. Hon David B Gass - Author
14. 18-Jun-2025 RECEIPT No.: 2025-00683 ; \$165.00, Authorization: #69010370365, Applied to: DEVRIE CARLSON - Class B Filing Fee (\$165.00) Paid for: The Weingart Firm PLLC - By nCourt LLC

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15. 23-Jun-2025 RECEIPT No.: 2025-00699 ; \$165.00, Check Number: #160, Applied to: DEVRIE CARLSON - Overpayment Class B (\$165.00) Paid for: DEVRIE CARLSON - By Devrie Breanne Carlson (Memo: Duplicate Pmt - See Rcpt 2025-00683 - Refund needed)
16. 8-Jul-2025 FILED: Letter dated 07/08/2025 to Devrie Carlson from Court re: enclosing check # 114633 in the amount of \$165.00 for refund of monies submitted in error.
17. 17-Jul-2025 FILED: Motion to Continue the Stay of this Appeal (Appellant Pro Per)
18. 21-Jul-2025 ORDERED: Motion to Continue the Stay of this Appeal (Appellant Pro Per) = GRANTED and continuing the stay of this appeal until 08/18/2025, for the purposes set forth in this court's 06/13/2025 stay order. FURTHER ORDERED: Directing appellant, if he has not done so, to file a motion with the superior court asking it to enter a signed judgment with Rule 78(c) language. FURTHER ORDERED: The stay will automatically lift on 08/19/2025 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 09/17/2025. If the brief is not timely filed, this court will dismiss this appeal. Steven C Lawrence ProTem Judge - Author
19. 31-Jul-2025 FILED: Motion to Continue the Stay of this Appeal; Motion to Continue the Stay of this Appeal (Duplicate) (Certificate of Service); Affidavit Motion to Enter Final Judgment (Appellant Pro Per)
20. 1-Aug-2025 FILED: Letter dated 08/01/2025, from Court to Devrie Carlson re: Resending 07/08/2024 refund letter and check.
21. 4-Aug-2025 ORDERED: Motion to Continue the Stay of this Appeal (Appellant Pro Per) = GRANTED in part and affirming the court's 07/21/2025 order continuing the stay of this appeal until 08/19/2025 for appellant to obtain a Rule 78(c) judgment. FURTHER ORDERED: either party may obtain a Rule 78(c) judgment in superior court, but if a Rule 78(c) judgment is not entered, this court will dismiss this appeal. FURTHER ORDERED: Denying all other relief requested in the motion. Melina Brill ProTem Judge - Author
22. 3-Sep-2025 ORDERED: If appellant does not file notice in this court by September 15, 2025, indicating whether the superior court entered a signed Rule 78(c) judgment, this court will dismiss this appeal. If the judgment was entered, appellant must attach the judgment to the notice. Melina Brill ProTem Judge - Author
23. 15-Sep-2025 FILED: Motion to Continue the Stay of this Appeal; Motion to Continue the Stay of this Appeal (Duplicate) (Certificate of Service); Affidavit (Marriage License) (Appellant Pro Per)
24. 16-Sep-2025 ORDERED: Motion to Continue the Stay of this Appeal (Appellant Pro Per) = GRANTED in part and staying this appeal until 10/16/2025, for the purposes set forth in this court's 05/13/2025 stay order – to allow the superior court to enter a Rule 78(c) judgment. FURTHER ORDERED: Denying all other relief requested in the motion. FURTHER ORDERED: Appellant must file a new motion asking the superior court to enter a signed judgment with Rule 78(c) language. Nothing in this order precludes appellee from submitting a Rule 78(c) judgment for signature. FURTHER ORDERED: Directing the Clerk of the Navajo County Superior Court to transmit a certified copy of the ruling 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 10/17/2025, 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 that the opening brief is due by 11/17/2025. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
25. 17-Oct-2025 FILED: Motion to Continue the Stay of this Appeal; Motion to Continue the Stay of this Appeal (Duplicate) (Certificate of Service); Courtesy Copy - Marriage License Application Revocation of Signature and Rescission of Power of Attorney, filed 05/23/2022 in Navajo County Superior Court (Appellant Pro Per)
26. 20-Oct-2025 ORDERED: Granting the motion in part and continuing the stay of this appeal until 11/17/2025, for the purposes set forth in this court's 06/13/2025 stay order – to allow the superior court to enter a Rule 78(c) judgment. FURTHER ORDERED: Directing the Clerk of the Navajo County Superior Court to transmit a certified copy of the ruling 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 11/18/2025, 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: That the opening brief is due by 12/18/2025. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
27. 17-Nov-2025 FILED: Notice of Conditional Acceptance and Motion to Continue Stay and Vacate Judgment; Notice of Conditional Acceptance and Motion to Continue Stay and Vacate Judgment (Duplicate) (Certificate of Service); Courtesy Copy - Order, filed 11/04/2025 in Navajo County Superior Court; Courtesy Copy - Motion to Vacate or Set Aside Judgment and Conditional Acceptance, filed in Navajo County Superior Court (Appellant Pro Per)
28. 22-Dec-2025 FILED: Motion to Extend Time to File Opening Brief; Motion to Extend Time to File Opening Brief (Duplicate) (Certificate of Service) (Appellant Pro Per)
29. 22-Dec-2025 ORDERED: Notice of Conditional Acceptance and Motion to Continue Stay and Vacate Judgment (Appellant Pro Per) = DENIED. FURTHER ORDERED: Motion to Extend Time to File Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Thursday, 12-18-2025 to Tuesday, 01-20-2026. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
30. 23-Dec-2025 ORDERED: Motion to Extend Time to File Opening Brief (Appellant Pro Per) = DENIED. Melina Brill ProTem Judge - Author
31. 26-Dec-2025 FILED: Motion to Suspend Appeal and Revest Jurisdiction; Untitled (Certificate of Service) (Appellee)

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32. 31-Dec-2025 FILED: Affidavit Response and Objection to Petitioner's Motion for Relief From Judgment; Affidavit Response and Objection to Petitioner's Motion for Relief From Judgment (Duplicate) (Certificate of Service) (Appellant Pro Per)
33. 15-Jan-2026 ORDERED: Motion to Suspend Appeal and Revest Jurisdiction (Appellee) = GRANTED in part and staying this appeal until 02/17/2026. FURTHER ORDERED: Revesting jurisdiction in the Navajo County Superior Court and authorizing that court to consider the pending motion to vacate or set aside judgment and any other pending motion including a timely motion to alter or amend, if filed. This court does not express an opinion regarding the merits of any motion. FURTHER ORDERED: Directing appellant to file a notice in this court with a copy of the ruling on the motion to vacate or set aside judgment within 10 days after entry. FURTHER ORDERED: That if a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: That if the superior court has not ruled on the motion to vacate or set aside judgment by 02/17/2026, appellant must file a notice in this court regarding the status of the motion. FURTHER ORDERED: Vacating the 01/20/2026 due date for the opening brief. The court will address the briefing schedule after the superior court rules on the pending motion(s). Melina Brill ProTem Judge - Author
34. 20-Jan-2026 FILED: Appellant's Opening Brief; Appellant's Opening Brief (Duplicate); Appellant's Opening Brief (Duplicate) (Appellant Pro Per)
35. 21-Jan-2026 ORDERED: Vacating the 03/09/2026 due date for the answering brief. The court will address the briefing schedule when the stay of this appeal is lifted. Melina Brill ProTem Judge - Author
36. 17-Feb-2026 FILED: Motion to Continue Stay of This Appeal and Notice to the Court of Appeals Regarding Superior Court Docket Activity; Motion to Continue Stay of This Appeal and Notice to the Court of Appeals Regarding Superior Court Docket Activity (Duplicate) (Certificate of Service); Decree of Dissolution of Marriage (Appellant Pro Per)
37. 18-Feb-2026 ORDERED: Motion to Continue Stay of This Appeal and Notice to the Court of Appeals Regarding Superior Court Docket Activity (Appellant Pro Per) = GRANTED and continuing the stay of this appeal until 03/19/2026, for the purposes set forth in this court's 01/15/2026 stay order. FURTHER ORDERED: The stay will be lifted automatically on 03/20/2026, unless before that date appellant files a motion to continue the stay of the appeal that describes the status of the motion to vacate or set aside judgment. FURTHER ORDERED: Within 10 days after the superior court rules on the motion, appellant must file a notice in this court with the ruling attached. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. Melina Brill ProTem Judge - Author
38. 19-Mar-2026 FILED: Notice of Superior Court Docket and Motion to Continue Stay; Affidavit (Certificate of Service); Untitled (Superior Court Docket Activity) (Appellant Pro Per)
39. 19-Mar-2026 FILED: Affidavit Notice of Supplemental Superior Court Docket Activity; Affidavit Notice of Supplemental Superior Court Docket Activity; Supplemental Superior Court Docket Activity (Appellant Pro Per)
40. 20-Mar-2026 ORDERED: Notice of Superior Court Docket and Motion to Continue Stay (Appellant) = GRANTED in part and continuing the stay of this appeal until 04/20/2026, for the purposes set forth in this court's 01/15/2026 stay order. FURTHER ORDERED: The stay will be lifted automatically on 04/21/2026, unless before that date appellant files a motion to continue the stay of the appeal that describes the status of the motion to vacate or set aside judgment. FURTHER ORDERED: Within 10 days after the superior court rules on the motion, appellant must file a notice in this court with the ruling attached. FURTHER ORDERED: If party wants this court to review any additional rulings, the party must file a timely notice of appeal or amended notice of appeal.
41. 23-Mar-2026 FILED: Notice of Second Supplemental Superior Court Docket Activity; Notice of Second Supplemental Superior Court Docket Activity; Copy of Reply in Support of Motion for Service of Documents filed in the Superior Court of Navajo County (Appellant Pro Per)
42. 20-Apr-2026 FILED: Motion to Continue Stay of Appeal and Notice of Status of Superior Court Proceedings; Affidavit (Certificate of Service); Exhibit A (Appellant Pro Per)
43. 23-Apr-2026 ORDERED: Directing the Clerk of the Navajo County Superior Court to prepare a supplemental index of any filings not already transmitted to this court and to transmit the supplemental index, along with copies of all such filings, to this court by 05/04/2026. FURTHER ORDERED: Granting the motion to continue the stay in part and continuing the stay of this appeal until 05/20/2026, for the purposes set forth in this court's 01/15/2026 stay order. FURTHER ORDERED: The stay will be lifted automatically on 05/21/2026, unless before that date appellant files a motion to continue the stay of the appeal that describes the status of the motion to vacate or set aside judgment. FURTHER ORDERED: Within 10 days after the superior court rules on the motion, appellant must file a notice in this court with the ruling attached. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. Hon Randall M Howe - Author
44. 23-Apr-2026 FILED: Notice of Filing in Superior Court; Affidavit (Certificate of Service) (Appellant)
45. 28-Apr-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Order Ruling 78(c))
46. 29-Apr-2026 ORDERED: Lifting Stay of this appeal. FURTHER ORDERED: The opening brief is due by 06/08/2026. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
47. 30-Apr-2026 FILED: Affidavit Notice of Service Received And Filing of Conditional Acceptance; Affidavit Notice of Service Received And Filing Of Conditional Acceptance (Certificate of Service); Courtesy Copy - Order Filed in Navajo County Superior Court on 04/16/2026; Exhibit A (Appellant Pro Per)
48. 11-May-2026 FILED: Amended Notice of Appeal; Amended Notice of Appeal (Certificate of Service) (Appellant Pro Per)