

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0423

VOLESKY v. DCS et al.

Appellate Case Information

Case Filed: 6-Jun-2025

Case Closed:

Dept/Composition

Department C

Hon. Andrew M Jacobs
Hon. Brian Y Furuya
Hon. James B Morse Jr.

Side 1. TERESA VOLESKY, Plaintiff/Appellant

(Litigant Group) VOLESKY

- Teresa Barbara Volesky PRO SE

Side 2. DEPARTMENT OF CHILD SAFETY, et al., Defendant/Appellee

(Litigant Group) DCS

- Department of Child Safety Attorney for: Defendant/Appellee DCS Dawn Rachele Williams, Esq. (AZ Bar No. 20730)

(Litigant Group) WESTERN

- Western Arizona Regional Medical Center Attorneys for: Defendant/Appellee WARMC John C Kelly, Esq. (AZ Bar No. 12770) Andrew Fox, Esq. (AZ Bar No. 34581)

CASE STATUS

Feb 18, 2026....Pending in ASC

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015CV202500755, Compel Medical Records; Fraud, Steven C Moss, Authoring Judge of Order.

DESCENDENT CASE (S)

ASC CV-26-0058-PR

CASE DECISION

21-Jan-2026 MEMORANDUM DECISION

Brian Furuya.....Author
Andrew Jacobs.....Concur
James Morse Jr.....Concur

Filed: 21-Jan-2026 Mandate:

Table with 1 column: Decision Disposition. Row 1: Affirmed

36 PROCEEDING ENTRIES

- 1. 6-Jun-2025 FILED: Index of Record, Notice of Appeal filed in Superior Court of Mohave County 05/23/25
2. 6-Jun-2025 FILED: Record on Appeal: Combined Instruments/Minute Entries Exhibits: None
3. 9-Jun-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 20-Jun-2025 FILED: Notice of Filing Fee Payment; Certificate of Service (Appellant Pro Per)
5. 24-Jun-2025 FILED: Case Management Statement; Certificate of Service (Appellant Pro Per)
6. 25-Jun-2025 RECEIPT No.: 2025-00706 ; \$330.00, Authorization: #76011174728, Applied to: VOLESKY - Class A Filing Fee (\$330.00) Paid for: VOLESKY - By nCourt LLC
7. 9-Jul-2025 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
8. 9-Jul-2025 FILED: Settlement Conference Program Notice
9. 17-Jul-2025 FILED: Appellants [sic] Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
10. 21-Jul-2025 FILED: Notice of Appearance; Certificate of Service (Appellee Warmc)
11. 21-Jul-2025 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee Warmc)
12. 25-Jul-2025 RECEIPT No.: 2025-00807 ; \$165.00, Authorization: #06007070337, Applied to: WESTERN - Class B Filing Fee (\$165.00) Paid for: Coppersmith Brockelman PLC - By nCourt LLC

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 25-0423****VOLESKY v. DCS et al.****36 PROCEEDING ENTRIES**

13.	6-Aug-2025	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)
14.	27-Aug-2025	FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee WARMC)
15.	28-Aug-2025	FILED: DCS's Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee DCS)
16.	29-Aug-2025	ORDERED: DCS's Motion for Extension of Time to File Answering Brief (Appellee DCS) = GRANTED. Due date EXTENDED from Tuesday, 09-02-2025 to Tuesday, 10-14-2025 ([DCS]). If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. FURTHER ORDERED: Appellant may file one reply brief to both Western Arizona Regional Medical Center's and the Department of Child Safety's answering briefs within 20 days after service of the Department of Child Safety's answering brief. Melina Brill ProTem Judge - Author
17.	3-Sep-2025	FILED: Motion to Strike or, in the Alternative, for Extension of Time Due to Lack of Service, False Certificate of Service, Federal Due Process Violations, and Request for Release of Medical Records Due to Fraud on the Court; Certificate of Service; Certificate of Compliance (Appellant Pro Per)  [Stricken per order filed on 09/05/2025]
18.	5-Sep-2025	ORDERED: Striking the motion (to strike) filed on 09/03/2025. Melina Brill ProTem Judge - Author
19.	6-Sep-2025	FILED: Motion to Strike Appellees' Answering Brief; Certificate of Service; Certificate of Compliance (Appellant Pro Per)
20.	8-Sep-2025	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
21.	26-Sep-2025	ORDERED: Motion to Strike Appellees' Answering Brief (Appellant Pro Per) = DENIED. Hon Randall M Howe - Author
22.	1-Oct-2025	FILED: Response Motion and Supplementle [sic] Motion to Reinstate Evidence and Clarify Constitutional and Federal Law Issues; Certificate of Service; Certificate of Compliance (Appellant Pro Per)  [Stricken per order filed 10/01/2025]
23.	1-Oct-2025	ORDERED: Striking the motion filed on 10/01/2025. Melina Brill ProTem Judge - Author
24.	8-Oct-2025	FILED: Appellee Department of Child Safety's Answering Brief; Department of Child Safety's Certificate of Compliance; Department of Child Safety's Certificate of Service (Appellee DCS)
25.	16-Oct-2025	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
26.	10-Nov-2025	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
27.	25-Nov-2025	CLNDR: CONFERENCE, Department C, 1-7-26, COURTROOM 1.
28.	15-Dec-2025	Record Receipt Noted - ENTIRE RECORD FILED - There is no additional electronic or physical record to be transmitted.
29.	21-Jan-2026	MEMORANDUM DECISION (Affirmed) Hon Brian Y Furuya - Author; Hon Andrew M Jacobs - Concur; Hon James B Morse Jr. - Concur
30.	21-Jan-2026	FILED: Decision Distribution Notification
31.	23-Feb-2026	FILED: Email Notice from ASC re: Petition for Review filed 2/18/26; request for partial record
32.	23-Feb-2026	FILED: Letter forwarding partial record to Arizona Supreme Court
33.	30-Apr-2026	FILED: Emergency Motion to Seal or Redact Record, to Modify or Correct Opinion; and Alternative Motion for Reconsideration or Reversal; Certificate of Service (Appellant Pro Per)
34.	4-May-2026	ORDERED: Emergency Motion to Seal or Redact Record, to Modify or Correct Opinion; and Alternative Motion for Reconsideration or Reversal (Appellant Pro Per) = DENIED. Hon Brian Y Furuya - Author
35.	6-May-2026	FILED: Final Motion for Reconsideration of Order Denying Emergency Motion to Seal or Redact Record, Modify or Correct Opinion, and for Protective Relief; Certificate of Service; Certificate of Compliance (Appellant Pro Per)
36.	7-May-2026	ORDERED: Final Motion for Reconsideration of Order Denying Emergency Motion to Seal or Redact Record, Modify or Correct Opinion, and for Protective Relief (Appellant Pro Per) = DENIED. Hon Brian Y Furuya - Author