

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 25-0540 FC

WHITE v. NEWBY

Appellate Case Information

Case Filed: 24-Jul-2025

Case Closed:

Dept/Composition

Department A

Hon. Samuel A Thumma
Hon. Andrew J Becke
Hon. Kent E Cattani

Side 1. In re the Matter of:

NICHOLAS PETER WHITE, Petitioner/Appellee

(Litigant Group) NICHOLAS PETER WHITE

- Nicholas Peter White

Attorney for: Petitioner/Appellee

Debora M Levine, Esq. (AZ Bar No. 29836)

Side 2. TABATHA FAITH NEWBY, Respondent/Appellant

(Litigant Group) TABATHA FAITH NEWBY

- Tabatha Faith Newby

Attorney for: Respondent/Appellant

Kirk D Smith, Esq. (AZ Bar No. 22029)

CASE STATUS

Apr 22, 2026... Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, FC2020-093775, Petition for Legal Decision Making, Parenting Time and Child Support, Charlene D Jackson, Authoring Judge of Order.

OPEN DUE DATE

Petition for Review to ASC Due

Due By:

Friday, May 22, 2026

Re: MEMORANDUM DECISION (Affirmed in Part, Dismissed in Part) Hon Samuel A Thumma - Author; Hon Andrew J Becke - Concur; Hon Kent E Cattani - Concur

CASE DECISION

22-Apr-2026 MEMORANDUM DECISION

Samuel Thumma.....Author
Andrew Becke.....Concur
Kent Cattani.....Concur

Filed: 22-Apr-2026

Mandate:

Decision Disposition

Affirmed in Part
Dismissed in Part

37 PROCEEDING ENTRIES

- 1. 24-Jul-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/26/25
2. 24-Jul-2025 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: Hearing Date 2/15/22 1, 2, 3, 4, 5, 6, 8, 9, 10, 13, 15, 16, 17, 19, 20, 21, 25, 28, 29, 30, 31, 32, 33
3. 24-Jul-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 24-Jul-2025 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 02/15/2022 - List # 34 35 36 37 in Manila Envelope; Hearing Date 04/30/2020 - List # 1 2 3 4 5 7 8 11 13 14 15 16 17 18 19 21 23 26 27 in Manila Envelope
5. 28-Jul-2025 FILED: Procedural Motion for Procedural Order to Extend Time (to File Transcripts); Certificate of Service for Procedural Motion for Procedural Order to Extend Time (Appellant)
6. 29-Jul-2025 ORDERED: Procedural Motion for Procedural Order to Extend Time (to File Transcripts) (Appellant) = GRANTED in part and extending the time to file the transcripts to 09/08/2025. FURTHER ORDERED: Extending the time to file the case management statement from 08/13/2025 to 09/12/2025, and the opening brief from 09/22/2025 to 10/22/2025. If the statement and the brief are not timely filed, the court will dismiss this appeal. If additional time is needed based on a transcript delay, any future extension motion must comply with ARCAP 15(e)(1). Melina Brill ProTem Judge - Author
7. 31-Jul-2025 FILED: Notice of Non-Representation of Appellee; Certificate of Service (Appellee Pro Per)

**Court of Appeals, Division One****Civil - Family Court****1 CA-CV 25-0540 FC****WHITE v. NEWBY****37 PROCEEDING ENTRIES**

8.	1-Aug-2025	RECEIPT No.: 2025-00842 ; \$330.00, Authorization: #13008893997, Applied to: TABATHA FAITH NEWBY - Class A Filing Fee (\$330.00) Paid for: Tabitha White - By nCourt LLC
9.	13-Aug-2025	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
10.	13-Aug-2025	FILED: Settlement Conference Program Notice
11.	26-Aug-2025	FILED: Notice of Filing Fee Payment; Certificate of Service (Appellee Pro Per)
12.	2-Sep-2025	RECEIPT No.: 2025-00962 ; \$165.00, Authorization: #45023967360, Applied to: NICHOLAS PETER WHITE - Class B Filing Fee (\$165.00) Paid for: NICHOLAS PETER WHITE - By nCourt LLC
13.	7-Sep-2025	FILED: Reporter's Transcript - 04/03/2025 - White v. Newby Hearing - (Kimberly Watts); Certificate of Service for Trial Transcript (Appellant)
14.	12-Sep-2025	FILED: Case Management Statement; Certificate of Service for Case Management Statement (Appellant)
15.	12-Sep-2025	FILED: Notice of Transcript Order; Certificate of Service for Notice of Transcript Order (Appellant)
16.	23-Oct-2025	FILED: Procedural Motion for Procedural Order to Suspend Rules to Extend Time by 10 Minutes to File Appellate Brief; Certificate of Service of Procedural Motion for Procedural Order to Extend Time (Appellant)
17.	23-Oct-2025	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service for Appellant Brief (Appellant)
18.	23-Oct-2025	FILED: Certificate of Compliance; Certificate of Service of Certificate of Compliance (Appellant)
19.	23-Oct-2025	FILED: Certificate of Service for Appellant Brief; Certificate of Service for Certificate of Service (Appellant)
20.	24-Oct-2025	FILED: Reply to Procedural Motion for Procedural Order to Suspend Rules to Extend Time By 10 Minutes To File Appellate Brief; Certificate of Service for Reply to Procedural Motion to Suspend Rules; Untitled (Email Correspondence) (Appellant)
21.	27-Oct-2025	FILED: Response to Motion; Certificate of Service (Appellee Pro Per)
22.	28-Oct-2025	ORDERED: Procedural Motion for Procedural Order to Suspend Rules to Extend Time by 10 Minutes to File Appellate Brief (Appellant) = GRANTED and accepting the opening brief filed on 10/23/2025. Melina Brill ProTem Judge - Author
23.	18-Nov-2025	FILED: Notice of Appearance; Certificate of Service (Appellee)
24.	2-Dec-2025	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
25.	16-Dec-2025	FILED: Motion for Procedural Order to Extend Time; Certificate of Service for the Motion for Procedural Motion to Extend Time (Appellant)
26.	17-Dec-2025	ORDERED: Motion for Procedural Order to Extend Time (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-22-2025 to Monday, 01-05-2026. 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
27.	5-Jan-2026	FILED: Respondent/Appellant's Reply Brief; Certificate of Compliance; Certificate of Service of Respondent/Appellant's Reply Brief (Appellant)
28.	5-Jan-2026	FILED: Respondent/Appellant's Appendix; Certificate of Service of Respondent/Appellant's Appendix (Appellant)
29.	5-Jan-2026	FILED: Certificate of Compliance; Certificate of Service for Certificate of Compliance (Appellant)
30.	10-Feb-2026	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
31.	20-Feb-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
32.	25-Feb-2026	CLNDR: CONFERENCE, Department A, 4-7-26, COURTROOM 2.
33.	22-Apr-2026	MEMORANDUM DECISION (Affirmed in Part, Dismissed in Part) Hon Samuel A Thumma - Author; Hon Andrew J Becke - Concur; Hon Kent E Cattani - Concur
34.	22-Apr-2026	FILED: Decision Distribution Notification
35.	1-May-2026	FILED: Verified Statement of Attorney's Fees and Costs; Certificate of Service (Appellee)
36.	13-May-2026	FILED: Certificate of Service of Response to Appellee's Verified Statement of Attorney Fees and Costs; Certificate of Service of Response to Appellee's Verified Statement of Attorney Fees and Costs (Appellant)
37.	1-Jun-2026	ORDERED: 05/01 - Verified Statement of Attorney's Fees and Costs(Appellee) = GRANTED cost in the amount of \$20.10 and attorneys' fees in the amount of \$3,000. Hon Samuel A Thumma - Author