

Court of Appeals, Division One

Civil Appeal

1 CA-CV 26-0165

MITCHELL v. HEAP

Appellate Case Information

Case Filed: 27-Feb-2026

Case Closed:

Dept/Composition

Side 1. RACHEL MITCHELL, in her official capacity as the Maricopa County Attorney, Plaintiff/Appellant

(Litigant Group) MITCHELL

• Rachel H Mitchell, Maricopa County Attorney's Office

Attorneys for: Plaintiff/Appellant

Brett William Johnson, Esq. (AZ Bar No. 21527)

Ryan Hogan, Esq. (AZ Bar No. 36169)

Charlene Anne Warner, Esq. (AZ Bar No. 37169)

Side 2. JUSTIN HEAP, in his official capacity as the Maricopa County Recorder, Defendant/Appellee

(Litigant Group) HEAP

• Justin Heap, Maricopa County Recorder's Office

Attorney for: Defendant/Appellee

James K Rogers, Esq. (AZ Bar No. 27287)

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Rows include MAR CV2025-020621 and MAR CV2025-022266.

2 OPEN DUE DATES

Response to Motion Due

Due By: Tuesday, June 9, 2026

Re: FILED: Renewed Motion to Expedite and Accelerate Appeal; Motion - Certificate of Service (Appellant)

Reply Brief Due

Due By: Tuesday, June 16, 2026

Re: FILED: Answering Brief; Certificate of Compliance; Certificate of Service Answering Brief and Appendix (Appellee)

PENDING MATTER

General Motion

Filed: 26-May-2026

\* Renewed Motion to Expedite and Accelerate Appeal; Supplemental Appendix in Support of Renewed Motion to Expedite and Accelerate Appeal (Appellant)

23 PROCEEDING ENTRIES

- 1. 27-Feb-2026 FILED: Motion To Suspend Rules, Accelerate Appeal, And Expedite Briefing Schedule For Appeal; Notice of Appeal filed in Superior Court of Maricopa County; Certificate of Service (Appellant)
2. 2-Mar-2026 ORDERED: Any response to the motion shall be filed by 03/05/2026. FURTHER IS ORDERED: Any reply shall be filed by 03/09/2026. The court will rule on the motion following expiration of the time for the response and reply. Hon Randall M Howe - Author
3. 5-Mar-2026 FILED: Appellee's Response in Opposition to Appellant's Motion to Suspend Rules, Accelerate Appeal, and Expedite Briefing Schedule for Appeal; Appellee's Certificate of Service for Response in Opposition to Appellant's Motion to Suspend Rules, Accelerate Appeal, and Expedite Briefing Schedule for Appeal (Appellee)
4. 6-Mar-2026 FILED: Opening Brief; Brief - Certificate of Compliance; Brief - Certificate of Service (Appellant)
5. 6-Mar-2026 FILED: Appendix in Support of Opening Brief; Appendix in Support of Opening Brief - Certificate of Service (Appellant)
6. 9-Mar-2026 FILED: Reply in Support of Motion to Suspend Rules, Accelerate Appeal, and Expedite Briefing Schedule for Appeal; Certificate of Service (Appellant)
7. 11-Mar-2026 ORDERED: Motion To Suspend Rules, Accelerate Appeal, And Expedite Briefing Schedule For Appeal (Appellant) = DENIED without prejudice to any party filing a motion to accelerate after this appeal is at issue. FURTHER ORDERED denying the request for an expedited briefing schedule without prejudice to the parties and any amici filing briefs as quickly as they wish before the due dates. Hon Randall M Howe - Author
8. 11-Mar-2026 FILED: Case Management Statement; Certificate of Service (Appellant)
9. 26-Mar-2026 FILED: Index of Record, Notice of Appeal of Appeal from Maricopa County Superior Court filed 02/26/2026

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 26-0165**

**MITCHELL v. HEAP**

**23 PROCEEDING ENTRIES**

10. 26-Mar-2026 FILED: e-Record on Appeal: CV2025-020621  
Combined Instruments/Minute Entries  
Exhibits: None  
  
Digital Exhibits: Plaintiff Hearing Date 01/26/2026 - 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 22, 23, 24, 26, 31  
Defendant Hearing Date 01/26/2026 - 2, 3  
Plaintiff Hearing Date 11/3/2025 - 1  
Defendant Hearing Date 11/03/2025 - 1, 2, 3, 4, 5, 6, 7, 8, 9
11. 26-Mar-2026 FILED: e-Record on Appeal: CV2025-022266  
Combined Instruments/Minute Entries  
Exhibits: None
12. 31-Mar-2026 FILED: Appellate Clerk Notice re: No Fees Due/Appellee's Brief Due
13. 1-Apr-2026 ORDERED: staying this appeal until 4/27/26. FURTHER ORDERED: revesting jurisdiction in the Maricopa County Superior Court and authorizing that court to consider a motion for a signed order corresponding to the minute entry dated and filed 1/30/26. FURTHER ORDERED: appellant must file a motion asking the superior court to enter a signed order. FURTHER ORDERED: if the superior court has not entered a signed order by 4/27/26, appellant must file a motion to continue the stay of this appeal that describes the status of the matter. Otherwise, this court will dismiss this appeal. FURTHER ORDERED: directing appellant to file the signed order in this court within 5 days after entry. The stay will be lifted automatically when this court receives the signed order. FURTHER ORDERED: answering brief is due by 5/27/26. If the brief is not timely filed, this court will submit this appeal for decision on the record and the opening brief. Hon Randall M Howe - Author
14. 13-Apr-2026 FILED: Notice of Entry of Signed Order; Certificate of Service; Exhibit A (Appellant)
15. 16-Apr-2026 ORDERED: lifting the stay of this appeal. FURTHER ORDERED: affirming the 5/27/26 due date for the answering brief. If the brief is not timely filed, this court will submit this appeal for decision on the record and the opening brief. Hon Randall M Howe - Author
16. 17-Apr-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record (CV2025-020621)
17. 26-May-2026 FILED: Renewed Motion to Expedite and Accelerate Appeal; Motion - Certificate of Service (Appellant)
18. 26-May-2026 FILED: Supplemental Appendix in Support of Renewed Motion to Expedite and Accelerate Appeal; Certificate of Service (Appellant)
19. 27-May-2026 FILED: Answering Brief; Certificate of Compliance; Certificate of Service Answering Brief and Appendix (Appellee)
20. 27-May-2026 FILED: Appendix in Support of Answering Brief (Appellee)
21. 27-May-2026 FILED: Notice Regarding Revised Supplemental Appendix To Renewed Motion To Expedite And Accelerate Appeal; Certificate of Service (Appellant)
22. 27-May-2026 FILED: Revised Supplemental Appendix To Renewed Motion To Expedite And Accelerate Appeal; Certificate of Service (Appellant)
23. 29-May-2026 ORDERED: Any response to the motion shall be filed by 06/09/2026. FURTHER ORDERED: Any reply shall be filed by 06/16/2026. The court will rule on the motion following expiration of the time for the response and reply. Hon Randall M Howe - Author