

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0107

IN RE TERM OF PARENTAL RIGHTS AS TO C.C. et al.

Appellate Case Information

Case Filed: 3-May-2023

Case Closed:

Dept/Composition

Department D

Hon. Michael S Catlett
Hon. Jennifer M Perkins
Hon. Randall M Howe

Side 1. ALEXIS R., Appellant

(Litigant Group) ALEXIS R.

- Alexis R.

Attorneys for: Appellant Alexis R.

Chad Joshua Winger, Esq. (AZ Bar No. 22767)

(Litigant Group) ALYSSA F. [Dismissed per 05/16/2024 Order]

- Alyssa F.

Side 2. DEPARTMENT OF CHILD SAFETY, C.C., E.R., J.R., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee DCS

Autumn Spritzer, Esq. (AZ Bar No. 27374)

(Litigant Group) C.C., E.R., J.R.

- C. C.
E. R.
J. R.

Attorneys for: Appellee Children

Bobbie Shin, Esq. (AZ Bar No. 30041)

CASE STATUS

Jul 25, 2024.....Assigned

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015JD202200045, Termination of Parental Rights, Aaron Michael Demke, Authoring Judge of Order.

2 OPEN DUE DATES

DCS Affidavit (AO 2024-08) Due Due By: Monday, September 23, 2024

Re: FILED: JV Appellate Clerk Notice Re Mandate (AO 2024-08)

Counsel Avowal (AO 2024-08) Due Due By: Monday, September 23, 2024

Re: FILED: JV Appellate Clerk Notice Re Mandate (AO 2024-08)

CALENDAR

Wednesday MONTHLY COURT CASE CALENDAR

Mixed

25-Sep-2024 Department D; COURTROOM 2

55 PROCEEDING ENTRIES

- 1. 3-May-2023 FILED: Notice of Appeal from Mohave County Superior Court filed 04/24/2023 (Alyssa F.)
2. 3-May-2023 FILED: Notice of Appeal from Mohave County Superior Court filed 04/24/2023 (Alexis R.)
3. 3-May-2023 FILED: E-Record on Appeal: S8015JD202200045 Instrument/Minute Entries: Combined Digital Exhibits: Hearing Date: 02/03/2023 - LIST # F1 F2 F3 F4 F5 F6 F7 F8 F9 F10 F11 F12 F13 F14 F15 F16 F17 F18 F19 F20 F21 F22 F23 F24 F25 F26 F27 F28; I1 I2 I3 I4 I5 I6 I7 I8 I9 I10 I11 I12 I13 I14
4. 5-May-2023 FILED: Appellate Clerk Notice (606(b))
5. 8-May-2023 FILED: Reporter's Transcript - 02/27/2023 - Severance Trial (Dawn M. Duffey)
6. 11-May-2023 FILED: Notice of Appearance; Certificate of Mailing (Appellant Alyssa F.)
7. 12-May-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0107****IN RE TERM OF PARENTAL RIGHTS AS TO C.C. et al.****55 PROCEEDING ENTRIES**

8. 22-May-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
9. 24-May-2023 FILED: Court Reporter Kimberly M. Faehn Request for Extension of Time
10. 25-May-2023 ORDERED: Court Reporter Kimberly M. Faehn Request for Extension of Time = GRANTED. Due Dates EXTENDED to 06/23/2023 for Transcripts dated 02/03/2023, 03/21/2023. Absent unforeseen and extraordinary circumstances, the court will not grant another extension request. Amber E Pershon ProTem Judge - Author
11. 25-Jun-2023 FILED: Reporter's Transcript - 02/03/2023 - Contested Severance Trial (Kimberly M. Faehn)
12. 25-Jun-2023 FILED: Reporter's Transcript - 03/21/2023 - Contested Severance Trial (Kimberly M. Faehn)
13. 27-Jun-2023 FILED: Notice of Completion of Record
14. 13-Jul-2023 FILED: Request for Extension to File (Alexis R.'s) Opening Brief; Certificate of Service (Appellant Alexis R.)
15. 14-Jul-2023 ORDERED: Request for Extension to File (Alexis R.'s) Opening Brief (Appellant Alexis R.) = GRANTED. Due date EXTENDED from Monday, 07-17-2023 to Monday, 08-07-2023. The court will not grant any further extension absent extraordinary circumstances. Barbara Vidal Vaught ProTem Judge - Author
16. 17-Jul-2023 FILED: Motion for Extension of Time to File (Alyssa F.'s) Opening Brief; Certificate of Mailing (Appellant Alyssa F.)
17. 18-Jul-2023 ORDERED: Motion for Extension of Time to File (Alyssa F.'s) Opening Brief (Appellant Alyssa F.) = GRANTED. Due date EXTENDED from Monday, 07-17-2023 to Wednesday, 08-16-2023. The court will not grant any further extension absent extraordinary circumstances. Amber E Pershon ProTem Judge - Author
18. 7-Aug-2023 FILED: Request for Extension to File (Alexis R.'s) Opening Brief; Certificate of Service (Appellant Alexis R.)
19. 8-Aug-2023 ORDERED: Request for Extension to File (Alexis R.'s) Opening Brief (Appellant Alexis R.) = GRANTED /extending the time to file the opening brief from 08/07/2023 to 08/14/2023. FURTHER ORDERED: if the brief is not timely filed, attorney Chad J. Winger must appear before this court on Wednesday, 08/16/2023, at 2:30 p.m., to show cause why the court should not impose sanctions. Amber E Pershon ProTem Judge - Author
20. 14-Aug-2023 FILED: Appellant (Alexis R.)'s Opening Brief; Certificate of Compliance; Certificate of Service (Appellant Alexis R.)
21. 16-Aug-2023 FILED: Affidavit Pursuant to ARPJC 607(e) (Appellant Alyssa F.); Certificate of Mailing (Appellant Alyssa F.) (Stricken per 08/17/2023 Order)
22. 17-Aug-2023 ORDERED: Striking counsel for Alyssa F.'s Notice and Avowal in Lieu of Opening Brief filed in this court on 08/16/2023. FURTHER ORDERED: counsel may file the opening brief or another notice conforming to Rule 607(e)(1)(A) or (B) on or before 08/28/2023. Amber E Pershon ProTem Judge - Author
23. 24-Aug-2023 FILED: Motion for Procedural Order: DCS's Motion to Vacate or Extend Deadline to File Answering Brief and to Allow DCS to File a Consolidated Answering Brief; Certificate of Service (Appellee DCS)
24. 25-Aug-2023 ORDERED: Motion for Procedural Order: DCS's Motion to Vacate or Extend Deadline to File Answering Brief and to Allow DCS to File a Consolidated Answering Brief (Appellee DCS) = GRANTED. FURTHER ORDERED: Vacating the consolidated answering brief due date. No brief will be due until further order. Amber E Pershon ProTem Judge - Author
25. 28-Aug-2023 FILED: Motion for Extension of Time to File (Alyssa F.'s) Opening Brief; Certificate of Mailing (Appellant Alyssa F.)
26. 29-Aug-2023 ORDERED: Motion for Extension of Time to File (Alyssa F.'s) Opening Brief (Appellant Alyssa F.) = GRANTED. Due date EXTENDED from Monday, 08-28-2023 to Wednesday, 09-27-2023. The court will not grant any further extension absent extraordinary circumstances. Amber E Pershon ProTem Judge - Author
27. 31-Aug-2023 FILED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Motion for Procedural Order); DCS's Certificate of Service for Notice of Change of Counsel (sic) (Motion to Suspend Appeal) (Appellee)
28. 1-Sep-2023 ORDERED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Appellee DCS) = GRANTED/ staying this appeal until 10/31/2023. FURTHER ORDERED: re-vesting jurisdiction in the Mohave County Superior Court and authorizing that court to rule on any motions made by the parties regarding the above matters. FURTHER ORDERED: directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 10/31/2023. FURTHER ORDERED: the stay will be lifted automatically on 11/01/2023, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. FURTHER ORDERED: vacating appellant Alyssa F.'s opening brief due date. No briefs will be due until further order. Barbara Vidal Vaught ProTem Judge - Author
29. 31-Oct-2023 ORDERED: Continuing the stay of this appeal until 11/30/2023. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 11/30/2023. FURTHER ORDERED: The stay will be lifted automatically on 12/01/2023, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Amber E Pershon ProTem Judge - Author

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0107****IN RE TERM OF PARENTAL RIGHTS AS TO C.C. et al.****55 PROCEEDING ENTRIES**

30. 30-Nov-2023 FILED: Affidavit Pursuant to ARPJC 607(e); Certificate of Mailing (Appellant Alyssa F.)
31. 30-Nov-2023 FILED: Certified Copy - Mohave County Superior Court, filed 11/27/2023, re: Minute Entry Review Hearing
32. 30-Nov-2023 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Appellants may file their opening briefs on or before 12/20/2023. FURTHER ORDERED: If the appellants wish to appeal the superior court's 11/27/2023, ruling, they must file a timely notice of appeal in accordance with Arizona Rule of Procedure for the Juvenile Court 603(a). If the appellants wish to move this court to supplement the record on appeal based on the 11/27/2023, minute entry, they must do so by 12/11/2023. Barbara Vidal Vaught ProTem Judge - Author
33. 30-Nov-2023 ORDERED: Vacating the 11/30/2023 order. Barbara Vidal Vaught ProTem Judge - Author
34. 1-Dec-2023 ORDERED: Continuing the stay in this appeal until 01/03/2024, to allow the superior court to reappoint counsel (or appoint new counsel) for appellants and to have counsel notify appellants of their right to seek relief based on the nondisclosed documents and determine whether the nondisclosed documents would have affected the termination order. FURTHER ORDERED: By 01/02/2024, the Department of Child Safety shall file a status report updating the court about the stay, unless before that date a party files a motion to continue the stay that describes the status of the superior court proceedings. Hon David B Gass - Author
35. 2-Jan-2024 FILED: Status Report Concerning Nonresolution of Disclosure Issue (Motion to Continue Stay); Certificate of Service (Appellee DCS)
36. 3-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S8015JD202200045)
37. 3-Jan-2024 ORDERED: Granting DCS's request and continuing the stay of this appeal until 02/02/2024. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 02/02/2024. FURTHER ORDERED: The stay will be lifted automatically on 02/05/2024, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Patrick Philippe Lacroix ProTem Judge - Author - Author
38. 19-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S8015JD202200045)
39. 2-Feb-2024 FILED: Status Report Concerning Resolution of Disclosure Issue; Certificate of Service; Status Conference; Court Order Ruling (Appellee DCS)
40. 6-Feb-2024 ORDERED: Continuing the stay of this appeal until 03/22/2024. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the superior court's rulings to this court by 03/22/2024. FURTHER ORDERED: Lifting the stay automatically on 03/25/2024, unless before that date the Department files a motion to continue the stay describing the status of the superior court proceedings. Hon David B Gass - Author
41. 14-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S8015JD202200045)
42. 22-Mar-2024 FILED: Mother's Status Report to Court; Certificate of Mailing (Appellant Alyssa F.)
43. 28-Mar-2024 ORDERED: Staying this appeal until 04/19/2024 and revesting jurisdiction in the superior court to address the Guardian system disclosure. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the superior court orders to this court by 04/19/2024. FURTHER ORDERED: The stay will be lifted automatically on 04/22/2024, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Patrick Philippe Lacroix ProTem Judge - Author
44. 11-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S8015JD202200045)
45. 15-Apr-2024 FILED: Certified Copy - Mohave County Superior Court Minute Entry, filed 04/03/2024, re: Status Conference
46. 24-Apr-2024 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Mother's pro se opening brief is due by 05/09/2024. See Ariz. R.P. Juv. Ct. 607(e)(3). FURTHER ORDERED: Mother's counsel must provide mother with a copy of this order. Patrick Philippe Lacroix ProTem Judge - Author
47. 16-May-2024 ORDERED: Dismissing Alyssa F.'s appeal. FURTHER ORDERED: Appellees may file their answering briefs on or before 06/05/2024. Patrick Philippe Lacroix ProTem Judge - Author
48. 3-Jun-2024 FILED: Motion for Procedural Order: DCS's Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee DCS)
49. 3-Jun-2024 ORDERED: Motion for Procedural Order: DCS's Motion for Extension of Time to File Answering Brief (Appellee DCS) = GRANTED. Due date EXTENDED from Wednesday, 06-05-2024 to Tuesday, 06-25-2024. The court will not grant any further extension absent extraordinary circumstances. Patrick Philippe Lacroix ProTem Judge - Author
50. 25-Jun-2024 FILED: Appellee Department of Child Safety's Answering Brief; Appellee Department of Child Safety's Certificate of Compliance; Certificate of Service (Appellee DCS)
51. 30-Jun-2024 FILED: Notice of No Intent to File Reply Brief; Certificate of Service (Appellant Alexis R.)

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Juvenile

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55 PROCEEDING ENTRIES

- 52. 2-Jul-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
- 53. 3-Jul-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S8015JD202200045)
- 54. 25-Jul-2024 CLNDR: CONFERENCE, Department D, 9-25-24, COURTROOM 2.
- 55. 3-Sep-2024 FILED: JV Appellate Clerk Notice Re Mandate (AO 2024-08)