

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0142

IN RE TERM OF PARENTAL RIGHTS AS TO G.R.

Appellate Case Information

Case Filed: 13-Jul-2023

Case Closed:

Dept/Composition

Side 1. EMILY W., Appellant

(Litigant Group) EMILY W.

- Emily W.

Attorneys for: Appellant Emily W.

Suzanne W Sanchez, Esq. (AZ Bar No. 14091)

(Litigant Group) VICTOR R. [Dismissed per 07/29/2024 Order]

- Victor R.

Side 2. DEPARTMENT OF CHILD SAFETY, G.R., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee DCS

Laura J Huff, Esq. (AZ Bar No. 27248)

(Litigant Group) G.R.

- G. R.

Attorneys for: Appellee Child

Amanda Adams, Esq. (AZ Bar No. 22505)

CASE STATUS

Aug 28, 2024...At Issue

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JD38309	Termination of Parental Rights		Melody Harmon, Authoring Judge of Order		

3 OPEN DUE DATES

Answering Brief due **Due By:** Wednesday, September 18, 2024
[1 extension]

Re: FILED: Appellant Emily W.'s Opening Brief; Certificate of Compliance for Appellant Emily W.'s Opening Brief; Certificate of Service for Appellant Emily W.'s Opening Brief (Appellant Emily W.)

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)

45 PROCEEDING ENTRIES

- 13-Jul-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 07/10/2023 and Notification of Notice of Appeal Filed (Appellant Victor R.)
- 18-Jul-2023 FILED: Appellate Clerk Notice (606(b))
- 25-Jul-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
- 26-Jul-2023 FILED: Child's Notice of Change of Counsel; Child's Certificate of Service for Notice of Change of Counsel (Appellee Child)
- 26-Jul-2023 FILED: Reporter's Transcript - 06/20/2023 (2:02 p.m. to 2:19 p.m.) - Contested Severance Hearing (Jan Penfield) [See revised transcript filed 09/07/2023]
- 28-Jul-2023 FILED: E-Record on Appeal: JD38309
 Instrument/Minute Entries: Combined Exhibits:
 Hearing Date: 02/03/2021 - LIST # E1
 Hearing Date: 08/06/2021 - LIST # E1
 Hearing Date: 06/20/2023 - LIST # E1 E2 E3 E4 E5 E6 E7 E8 E9 E10 E11 E12 E13 E14 E15 E16 E17 E18 E19 E20 E21 E22 E23 E24 E25 E26 E27 E28 E29 E30 E31 E32
 Hearing Date: 11/27/2023 - LIST # E1

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0142****IN RE TERM OF PARENTAL RIGHTS AS TO G.R.****45 PROCEEDING ENTRIES**

7. 2-Aug-2023 FILED: Notice of Completion of Record
8. 9-Aug-2023 FILED: Appellant Victor R.'s Motion to Complete Presumptive Record; Certificate of Service (Appellant)
9. 11-Aug-2023 ORDERED: Appellant Victor R.'s Motion to Complete Presumptive Record (Appellant) = DENIED without prejudice to appellant moving to stay this appeal to reconstruct the superior court record under Arizona Rule of Procedure for the Juvenile Court 604(e) and ARCAP 11 (d) and (e). FURTHER ORDERED: denying appellant's request to extend the opening brief due date. Amber E Pershon ProTem Judge - Author
10. 14-Aug-2023 FILED: Motion to Stay Appeal to Revest Jurisdiction in the Superior Court; Certificate of Service (Appellant)
11. 15-Aug-2023 ORDERED: Staying this appeal until 09/14/2023. FURTHER ORDERED: directing appellant's counsel to commence by 08/25/2023, proceedings that conform as nearly as practicable to the provisions of Arizona Rule of Civil Appellate Procedure 11(d) or (e) for reconstruction of a record of proceedings in the absence of a transcript. See ARCAP 11(d) and (e), incorporated by Ariz. R.P. Juv. Ct. 602(i)(10). FURTHER ORDERED: the superior court is authorized and directed to rule upon the matters presented in such proceedings. FURTHER ORDERED: directing the Clerk of the Maricopa County Superior Court to transmit a certified copy of any approved narrative statement or any agreed-upon statement to the clerk of this court within 5 days after its filing, marked for filing in this appeal. FURTHER ORDERED: the stay will be lifted automatically on 09/15/2023, or upon the filing with the clerk of this court of the approved statement, whichever occurs first. Amber E Pershon ProTem Judge - Author
12. 24-Aug-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD38309)
13. 6-Sep-2023 FILED: DCS's Motion for Procedural Order Extending Stay of Appeal; DCS's Certificate of Service for Motion for Procedural Order Extending Stay of Appeal (Appellee)
14. 7-Sep-2023 FILED: Reporter's Transcript (Revised) - 06/20/2023 (1:56 p.m. to 2:19 p.m.) - Contested Severance Hearing (Jan Penfield)
15. 7-Sep-2023 ORDERED: DCS's Motion for Procedural Order Extending Stay of Appeal (Appellee DCS) = GRANTED/ continuing the stay of this appeal until 11/06/2023. FURTHER ORDERED: revesting jurisdiction in the Maricopa 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 11/06/2023. FURTHER ORDERED: the stay will be lifted automatically on 11/07/2023, 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
16. 3-Nov-2023 FILED: DCS's Motion for Second Procedural Order Extending Stay of Appeal; DCS's Certificate of Service for Motion for Second Procedural Order Extending Stay of Appeal (Appellee DCS)
17. 6-Nov-2023 ORDERED: DCS's Motion for Second Procedural Order Extending Stay of Appeal (Appellee DCS) = GRANTED/ continuing the stay of this appeal until 12/06/2023. FURTHER ORDERED: To direct the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 12/06/2023. FURTHER ORDERED: The stay will be lifted automatically on 12/07/2023, 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
18. 1-Dec-2023 FILED: DCS's Motion for Third Procedural Order Extending Stay of Appeal; DCS's Certificate of Service for Motion for Third Procedural Order Extending Stay of Appeal (Appellee DCS)
19. 4-Dec-2023 ORDERED: DCS's Motion for Third Procedural Order Extending Stay of Appeal = GRANTED/ continuing the stay of this appeal until 01/05/2024. FURTHER ORDERED: To direct the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 01/05/2024. FURTHER ORDERED: The stay will be lifted automatically on 01/08/2024, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Barbara Vidal Vaught ProTem Judge - Author
20. 5-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD38309)
21. 5-Jan-2024 FILED: DCS's Status Report Regarding Stay; Certificate of Service for DCS's Status Report Regarding Stay; Exhibits A through I (Appellee DCS)
22. 10-Jan-2024 ORDERED: Reinstating the stay of this appeal until 03/11/2024. FURTHER ORDERED: The stay will be lifted automatically on 03/11/2024, unless before that date DCS files a motion to continue the stay of this appeal describing the status of the superior court proceedings. Hon David B Gass - Author
23. 4-Mar-2024 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
24. 7-Mar-2024 FILED: DCS's Status Report Regarding Stay (Motion to Continue Stay); DCS's Certificate of Service; Status Report - Exhibit A; Status Report - Exhibit B (Appellee DCS)
25. 7-Mar-2024 ORDERED: Continuing the stay of this appeal until 05/06/2024. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 05/06/2024. FURTHER ORDERED: The stay will be lifted automatically on 05/07/2024, 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

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26. 28-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD38309)
27. 3-May-2024 FILED: DCS's Status Report Regarding Stay (Motion to Continue Stay); DCS's Certificate of Service (Appellee DCS)
28. 6-May-2024 ORDERED: Directing the Department of Child Safety to supplement the status report filed on 05/03/2024 with the positions of father, Victor R., and the child. Patrick Philippe Lacroix ProTem Judge - Author
29. 13-May-2024 FILED: DCS's Supplement to May Status Report Regarding Stay; DCS's Certificate of Service (Appellee DCS)
30. 13-May-2024 ORDERED: Directing DCS to supplement its status report by 05/27/2024, to include the positions of father and child regarding its request to stay the appeal for an additional 60 days. Patrick Philippe Lacroix ProTem Judge - Author
31. 13-May-2024 FILED: DCS's Second Supplement to May Status Report Regarding Stay; DCS's Certificate of Service (Appellee DCS)
32. 13-May-2024 ORDERED: DCS's Status Report Regarding Stay (Motion to Continue Stay) (Appellee DCS) = GRANTED/ staying this appeal until 07/12/2024. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the superior court's rulings to this court by 07/12/2024. FURTHER ORDERED: The stay will be lifted automatically on 07/15/2024, 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
33. 5-Jul-2024 FILED: Notice of Appeal from Maricopa County Superior Court filed 07/02/2024 and Notification of Notice of Appeal Filed (Appellant Emily W.)
34. 18-Jul-2024 ORDERED: Staying this appeal for the court to supplement the record to include all record and exhibits in JD38309. FURTHER ORDERED: directing the Clerk of the Maricopa County Superior Court to forward to the court by 08/16/2024, a certified copy of the supplemental record marked for filing in this appeal. FURTHER ORDERED: the court will provide the mother the opportunity to brief the issues she raises in her notice of appeal once the court receives the supplemental record. The court will also provide DCS and the minor child with an opportunity to file supplemental briefs. Hon David B Gass - Author
35. 19-Jul-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD38309)
36. 22-Jul-2024 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Appellants Victor R. and Emily W. must file their opening briefs in this court by 08/12/2024. Patrick Philippe Lacroix ProTem Judge - Author
37. 29-Jul-2024 FILED: Notice and Avowal in Lieu of Opening Brief; Certificate of Service (Appellant Victor R.)
38. 29-Jul-2024 ORDERED: Dismissing Victor R.'s appeal. Patrick Philippe Lacroix ProTem Judge - Author
39. 8-Aug-2024 FILED: Appellant Emily W.'s Opening Brief; Certificate of Compliance for Appellant Emily W.'s Opening Brief; Certificate of Service for Appellant Emily W.'s Opening Brief (Appellant Emily W.)
40. 12-Aug-2024 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
41. 21-Aug-2024 FILED: DCS's Motion to Extend Due Date for Answering Brief (Motion for a Procedural Order); DCS's Certificate of Service for Motion to Extend Time (Motion for Procedural Order) (Appellee DCS)
42. 21-Aug-2024 ORDERED: DCS's Motion to Extend Due Date for Answering Brief (Appellee DCS) = GRANTED. Due date EXTENDED from Wednesday, 08-28-2024 to Wednesday, 09-18-2024. The court will not grant any further extension absent extraordinary circumstances. Patrick Philippe Lacroix ProTem Judge - Author
43. 28-Aug-2024 FILED: Appellee Child G.R.'s Answering Brief; Appellee Child G.R.'s Certificate of Compliance; Appellee Child G.R.'s Certificate of Service (Appellee Child)
44. 3-Sep-2024 FILED: JV Appellate Clerk Notice Re Mandate (AO 2024-08)
45. 5-Sep-2024 FILED: Appellant Emily W.'s Reply Brief; Certificate of Compliance for Appellant's Reply Brief; Appellant's Certificate of Service - Reply Brief (Appellant Emily W.)