

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0160

IN RE TERM OF PARENTAL RIGHTS AS TO J.B. and A.B.

Appellate Case Information

Case Filed: 10-Aug-2023

Case Closed:

Dept/Composition

Department C

Hon. Paul J McMurdie
Hon. Maria Elena Cruz
Hon. Cynthia J Bailey

Side 1. CHRISTOPHER B., Appellant

(Litigant Group) CHRISTOPHER B.

- Christopher B.

Attorneys for: Appellant

David W Bell, Esq. (AZ Bar No. 13756)

Side 2. MIA D., J.B., A.B., Appellee

(Litigant Group) MIA D.

- Mia D.

Attorneys for: Appellee Mia D.

Thomas A Vierling, Esq. (AZ Bar No. 14286)

(Litigant Group) J.B., A.B.

- J. B.

Attorneys for: Appellee Children

- A. B.

Denise Lynn Carroll, Esq. (AZ Bar No. 22138)

CASE STATUS

Aug 20, 2024...Pending Closure

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JS519624	Termination of Parental Rights		Amanda S Chua, Authoring Judge of Order		

DESCENDENT CASE (S)

ASC CV-24-0067-PR

CASE DECISION

07-Mar-2024 MEMORANDUM DECISION

Amended Per Order filed 4/3/24

Filed: **07-Mar-2024**

Mandate:

Maria Cruz.....Author
Paul McMurdie.....Concur
Cynthia Bailey.....Concur

Decision Disposition
Affirmed

44 PROCEEDING ENTRIES

- 10-Aug-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/07/2023 and Notification of Notice of Appeal Filed
- 15-Aug-2023 FILED: Appellate Clerk Notice (606(b))
- 25-Aug-2023 FILED: E-Record on Appeal:
Instrument/Minute Entries: Combined
Exhibits:
Hearing Date: 07/16/2021 - LIST # E2 E3 E4 E5 E6 E7 E8 E10 E11 E12 E13
Hearing Date: 04/10/2023 - 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 E33 E34 E35 E36 E37
- 25-Aug-2023 FILED: Additional Record on Appeal: JS519624
Physical Exhibits
Hearing Date: 04/10/2023 - LIST # 38 in a Manila Envelope
- 29-Aug-2023 FILED: Reporter's Transcript - 04/10/2023 - Contested Severance Hearing (Michael Drake)
- 29-Aug-2023 FILED: Reporter's Transcript - 04/13/2023 - Contested Severance Hearing (Tamara Bentzur)

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0160****IN RE TERM OF PARENTAL RIGHTS AS TO J.B. and A.B.****44 PROCEEDING ENTRIES**

7. 29-Aug-2023 FILED: Reporter's Transcript - 04/14/2023 - Contested Severance Hearing (Sheri Chism)
8. 29-Aug-2023 FILED: Reporter's Transcript - 05/02/2023 - Contested Severance Hearing (Susan Leong)
9. 29-Aug-2023 FILED: Reporter's Transcript - 05/09/2023 - Contested Severance Hearing (Jan Penfield)
10. 30-Aug-2023 FILED: Reporter's Transcript - 01/24/2023 - Pretrial Conference (Jan Penfield)
11. 30-Aug-2023 FILED: Reporter's Transcript - 02/08/2023 - Pretrial Conference Hearing Continued (Jan Penfield)
12. 30-Aug-2023 FILED: Reporter's Transcript - 02/13/2023 - Pretrial Conference - Severance Contested (Jan Penfield)
13. 30-Aug-2023 FILED: Reporter's Transcript - 03/22/2023 - Pretrial Conference (Jan Penfield)
14. 1-Sep-2023 FILED: Notice of Appearance as Attorney for Appellee Mia D.; Certificate of Service for Notice of Appearance as Attorney for Appellee Mia D. (Appellee Mia D.)
15. 5-Sep-2023 FILED: Notice of Completion of Record
16. 20-Sep-2023 FILED: Request for Additional Time to File Opening Brief; Certificate of Service (Appellant)
17. 21-Sep-2023 ORDERED: Request for Additional Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 09-25-2023 to Thursday, 11-09-2023. The court will not grant any further extension absent extraordinary circumstances. Amber E Pershon ProTem Judge - Author
18. 6-Nov-2023 FILED: Request for Additional Time to File Opening Brief; Certificate of Service (Appellant)
19. 6-Nov-2023 ORDERED: Request for Additional Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 11-09-2023 to Friday, 11-24-2023. If the opening brief is not timely filed as required, the court may set a show cause hearing. Amber E Pershon ProTem Judge - Author
20. 24-Nov-2023 FILED: Opening Brief of Appellant, Christopher B.; Certificate of Compliance; Certificate of Service (Appellant)
21. 24-Nov-2023 FILED: Motion to Exceed Word Limit; Certificate of Service (Appellant)
22. 27-Nov-2023 ORDERED: Motion to Exceed Word Limit (Appellant) = GRANTED/ accepting the opening brief filed on 11/24/2023. See Arizona Rule of Procedure for the Juvenile Court 607(b). FURTHER ORDERED: Directing the clerk of this court to reference this order in the electronic case management system. Amber E Pershon ProTem Judge - Author
23. 7-Dec-2023 FILED: Appellee Mia D.'s Motion to Extend Deadline for Filing Answering Brief (Motion for Procedural Order); Certificate of Service for Appellee Mia D.'s Motion to Extend Deadline for Filing Answering Brief (Motion for Procedural Order) (Appellee Mia D.)
24. 8-Dec-2023 ORDERED: Appellee Mia D.'s Motion to Extend Deadline for Filing Answering Brief = GRANTED. Due date EXTENDED from Thursday, 12-14-2023 to Tuesday, 01-16-2024. The court will not grant any further extension absent extraordinary circumstances. Barbara Vidal Vaught ProTem Judge - Author
25. 12-Dec-2023 FILED: Motion for Order for Extension of Time to File Answering Brief; Certificate of Service (Appellee Children)
26. 13-Dec-2023 ORDERED: Motion for Order for Extension of Time to File Answering Brief (Appellee Children) = GRANTED. Due date EXTENDED from Thursday, 12-14-2023 to Thursday, 01-11-2024. The court will not grant any further extension absent extraordinary circumstances. Barbara Vidal Vaught ProTem Judge - Author
27. 11-Jan-2024 FILED: Appellee Children's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Children)
28. 16-Jan-2024 FILED: Answering Brief of Appellee Mother Mia D.; Certificate of Compliance for Answering Brief of Appellee Mother Mia D.; Certificate of Service for Answering Brief of Appellee Mother Mia D. and Certificate of Compliance for Answering Brief of Appellee Mother Mia D. (Appellee Mia D.)
29. 23-Jan-2024 FILED: Request for Additional Time to File Consolidated Reply Brief; Certificate of Service (Appellant)
30. 24-Jan-2024 ORDERED: Request for Additional Time to File Consolidated Reply Brief (Appellant) = GRANTED/ setting the deadline to file a consolidated reply brief as to both appellee Mia D. and appellee Children by 01/30/2024. Patrick Philippe Lacroix ProTem Judge - Author
31. 26-Jan-2024 CLNDR: CONFERENCE, Department C, 3-6-24, COURTROOM 1.
32. 30-Jan-2024 FILED: Reply Brief of Appellant, Christopher B.; Certificate of Compliance; Certificate of Service (Appellant)

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44 PROCEEDING ENTRIES

- 33. 7-Mar-2024 MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Paul J McMurdie - Concur; Hon Cynthia J Bailey - Concur
[Amended per 04/03/2024 Order]
- 34. 7-Mar-2024 FILED: Decision Distribution Notification
- 35. 7-Mar-2024 FILED: Notice of Juvenile Rule 609
- 36. 22-Mar-2024 FILED: Notice of Intent to File Petition for Review; Certificate of Service (Appellant)
- 37. 22-Mar-2024 FILED: Motion for Reconsideration (Oral Argument Requested); Certificate of Compliance; Certificate of Service (Appellant)
[Stricken per 04/03/2024 Order]
- 38. 27-Mar-2024 FILED: Appellee Mia D.'s Motion to Strike Appellant's Motion for Reconsideration; Certificate of Service for Appellee Mia D.'s Motion to Strike Appellant's Motion for Reconsideration (Appellee Mia D.)
- 39. 3-Apr-2024 ORDERED: Striking the Motion for Reconsideration and Motion for Oral Argument. Hon Maria Elena Cruz - Author
- 40. 3-Apr-2024 ORDERED: The Clerk's Office, by interlineation shall amend Paragraph 22 of the memorandum decision issued in this matter so that it reads as follows: (see Order). Hon Maria Elena Cruz - Author
- 41. 8-Apr-2024 FILED: ASC Order filed 04/08/2024 re: extending time for filing Petition for Review to 05/17/2024
- 42. 13-May-2024 FILED: Email Notice from ASC re: Petition for Review filed 05/13/24; request for partial record
- 43. 22-May-2024 FILED: Letter forwarding partial record to Arizona Supreme Court
- 44. 23-Aug-2024 FILED: Letter from ASC, 08/23/2024, re: Petition for Review DENIED on 08/20/2024