

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0221

IN RE TERM OF PARENTAL RIGHTS AS TO D.L. and A.L.

Appellate Case Information

Case Filed: 6-Dec-2023
Case Closed: 15-Aug-2024

Decision

Dept/Composition

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

Side 1. TATIANA G., Appellant

(Litigant Group) TATIANA G.

- Tatiana G.

Attorneys for: Appellant

John L Popilek, Esq. (AZ Bar No. 6947)

Side 2. DEPARTMENT OF CHILD SAFETY, D.L., A.L., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee DCS

Jennifer R Blum, Esq. (AZ Bar No. 29716)

(Litigant Group) D.L., A.L.

- D. L.
A. L.

Attorneys for: Appellee Children

Kristen A Rothman, Esq. (AZ Bar No. 29747)

CASE STATUS

Aug 15, 2024....Case Closed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, JD15644, Termination of Parental Rights, Gregory Como, Authoring Judge of Order.

CASE DECISION

30-Jul-2024 MEMORANDUM DECISION

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

Filed: 30-Jul-2024 Mandate: 15-Aug-2024

Decision Disposition

Affirmed

26 PROCEEDING ENTRIES

- 1. 6-Dec-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 12/04/2023 and Notification of Notice of Appeal Filed.
2. 6-Dec-2023 FILED: Appellate Clerk Notice (606(b))
3. 12-Dec-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
4. 20-Dec-2023 FILED: Reporter's Transcript - 08/01/2023 - Contested Severance Hearing (Tamara Bentzur)
5. 20-Dec-2023 FILED: Reporter's Transcript - 08/08/2023 - Contested Severance Hearing (Anne Manscill)
6. 20-Dec-2023 FILED: Reporter's Transcript - 10/18/2023 - Contested Severance Hearing (Kari Watford)
7. 20-Dec-2023 FILED: Reporter's Transcript - 10/24/2023 - Continued Contested Severance Hearing (Susan Leong)
8. 22-Dec-2023 FILED: E-Record on Appeal: JD15644
Instrument/Minute Entries: Combined
Exhibits:
Hearing Date: 04/06/2022 - LIST # E1 E2 E3 E4
Hearing Date: 06/08/2022 - LIST # E1
Hearing Date: 06/29/2022 - LIST # E2 E6 E9 E10 E11 E12 E13 E14 E15 E16
Hearing Date: 08/01/2023 - LIST # E1 E2 E3 E4 E5 E6 E7 E8 E9 E10 E11 E12 E13 E14 E15 E15 E16 E17 E18 E19 E19 E20 E21 E22 E23 E24 E25 E26 E27 E28
9. 22-Dec-2023 FILED: Notice of Completion of Record
10. 11-Jan-2024 FILED: Mother's Motion for Two Week Extension re Opening Brief; Certificate of Service (Appellant)

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26 PROCEEDING ENTRIES

11. 11-Jan-2024 ORDERED: Mother's Motion for Two Week Extension re Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 01-11-2024 to Friday, 01-26-2024. The court will not grant any further extension absent extraordinary circumstances. Patrick Philippe Lacroix ProTem Judge - Author
12. 26-Jan-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
13. 15-Feb-2024 FILED: Appellee Department of Child Safety's Answering Brief; Appellee Department of Child Safety's Certificate of Compliance; Appellee Department of Child Safety's Certificate of Service (Appellee DCS)
14. 26-Feb-2024 CLNDR: CONFERENCE, Department C, 4-24-24, COURTROOM 1.
15. 26-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
16. 1-Mar-2024 FILED: Appellant Mother's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
17. 6-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD15644)
18. 21-Mar-2024 FILED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Motion for a Procedural Order); Appellee Department of Child Safety's Certificate of Service (Appellee DCS)
19. 5-Apr-2024 ORDERED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Appellee DCS) = GRANTED/ staying this appeal until 06/05/2024. FURTHER ORDERED: Vacating the conference in this case currently set for 04/24/2024. 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 06/05/2024. FURTHER ORDERED: The stay will be lifted automatically on 06/05/2024 unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Hon Paul J McMurdie - Author
20. 8-Apr-2024 ORDERED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Appellee DCS) = GRANTED/ staying this appeal until 06/05/2024. FURTHER ORDERED: Vacating the conference in this case currently set for 04/24/2024. 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 06/05/2024. FURTHER ORDERED: The stay will be lifted automatically on 06/05/2024 unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Hon Paul J McMurdie - Author (Duplicate)
21. 24-May-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD15644)
22. 24-May-2024 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Setting the conference in this matter without oral argument before Department C for 07/18/2024. Hon Paul J McMurdie - Author
23. 30-Jul-2024 MEMORANDUM DECISION (Affirmed) Hon Paul J McMurdie - Author; Hon Maria Elena Cruz - Concur; Hon Cynthia J Bailey - Concur
24. 30-Jul-2024 FILED: Decision Distribution Notification
25. 30-Jul-2024 FILED: Notice of Juvenile Rule 609
26. 15-Aug-2024 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.