

Court of Appeals, Division One

Juvenile

1 CA-JV 24-0089

IN RE TERM OF PARENTAL RIGHTS AS TO N.N.

Appellate Case Information

Case Filed: 16-May-2024

Case Closed:

Dept/Composition

Side 1. TOHONO O'ODHAM NATION, Appellant

(Litigant Group) TOHONO O'ODHAM NATION

- Tohono O'odham Nation

Attorneys for: Appellant

Howard M Shanker, Esq. (AZ Bar No. 15547)

Hue Thi Le, Esq. (AZ Bar No. 25147)

Side 2. J.D., J.D., N.N., Appellee

(Litigant Group) J.D., J.D.

- J. D.

Attorneys for: Appellee

Philip McCarthy, Jr, Esq. (AZ Bar No. 13059)

- J. D.

(Litigant Group) N.N.

- N. N.

CASE STATUS

Aug 15, 2024....Stayed (until 10/15/24)

May 28, 2024....Record Complete-Notice Completion Sent

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: CON, S0300SV202300035, Order re Motion to Intervene, Angela R Kircher, Authoring Judge of Order.

OPEN DUE DATE

Court Ordered Document due

Due By:

Monday, October 14, 2024

[1 extension]

Re: * ORDERED: Motion to Continue Stay of Appeal for Purposes of Allowing Superior Court to Issue Orders as Required by this Court's August 15, 2024, Order (Appellee) = GRANTED/ continuing the stay of this appeal until 10/14/2024 for the purposes set forth in

22 PROCEEDING ENTRIES

- 1. 3-May-2024 FILED: Courtesy Copy - Coconino County Superior Court, filed 04/30/2024, re: Tohomo O'Odham Nation's Notice of Appeal
2. 3-May-2024 FILED: Courtesy Copy - Coconino County Superior Court, filed 05/01/2024, re: Clerk's Notice to Counsel and Parties re: Notice of Appeal Filed
3. 3-May-2024 FILED: Courtesy Copy - Coconino County Superior Court, filed 05/01/2024, re: Clerk's Notice to Court Reporters and/or Transcribers re: Notice of Appeal Filed
4. 16-May-2024 FILED: Notice of Appeal from Coconino County Superior Court filed 04/30/24.
5. 16-May-2024 FILED: E-Record on Appeal: S0300SV202300035 Instrument/Minute Entries: Combined Exhibits: None
6. 17-May-2024 FILED: Appellate Clerk Notice (606(b))
7. 21-May-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S0300SV202300035)
8. 28-May-2024 FILED: Reporter's Transcript - 09/18/2023 - Petition To Terminate Parent/Child Relationship (Leda Yeager)
9. 28-May-2024 FILED: Notice of Completion of Record
10. 4-Jun-2024 FILED: Tohono O'odham Nation's Motion to Supplement the Record on Appeal; Certificate of Service (Appellant)

Court of Appeals, Division One**Juvenile****1 CA-JV 24-0089****IN RE TERM OF PARENTAL RIGHTS AS TO N.N.****22 PROCEEDING ENTRIES**

11. 5-Jun-2024 ORDERED: Granting the motion to supplement the record with the Nation's response to appellee's motion to correct, filed on 05/22/2024 in Coconino County Superior Court. FURTHER ORDERED: Directing the Clerk of the Coconino County Superior Court to forward to this court by 06/25/2024, a certified copy of the Nation's 05/22/2024 response in opposition to appellee's motion to correct, marked for filing in this appeal. FURTHER ORDERED: Extending the time to file the opening brief from 06/17/2024 to 07/15/2024. Barbara Vidal Vaught ProTem Judge - Author
12. 5-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S0300SV202300035)
13. 15-Jul-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
14. 15-Jul-2024 FILED: Certificate of Service (Appellant)
15. 25-Jul-2024 FILED: Appellees' Notice of Appearance; Certificate of Service (Appellee)
16. 25-Jul-2024 FILED: Motion to Revest Jurisdiction with the Juvenile Court for Purposes of Clarifying and Correcting the Record and Suspending this Appeal and the Brief of Appellee; Certificate of Service (Appellee)
17. 26-Jul-2024 ORDERED: Vacating the 08/05/2024 due date for the answering brief. The order ruling on the pending motion to revest jurisdiction and suspend this appeal will set a due date to file the answering brief if the motion is denied. Steven C Lawrence ProTem Judge - Author
18. 5-Aug-2024 FILED: Appellant's Response in Opposition to Appellee's Motion to Revest Jurisdiction with the Juvenile Court for Purposes of Clarifying and Correcting the Record and Suspending this Appeal and the Brief of Appellee; Certificate of Service (Appellant)
19. 12-Aug-2024 FILED: Appellees' Reply to Appellant's Response in Opposition to Appellees' Motion to Revest Jurisdiction with the Juvenile Court for Purposes of Clarifying and Correcting the Record and Suspending this Appeal and the Brief of Appellees'; Certificate of Service (Appellee)
20. 15-Aug-2024 ORDERED: Motion to Revest Jurisdiction with the Juvenile Court for Purposes of Clarifying and Correcting the Record and Suspending this Appeal (Appellee) = GRANTED in part/ staying this appeal until 09/16/2024. FURTHER ORDERED: Revesting jurisdiction in the Coconino County Superior Court solely to allow that court to rule on the Nation's already-filed motion for reconsideration and appellees' already-filed motion to correct. This court does not express an opinion regarding the merits of either motion. FURTHER ORDERED: Within 10 days after the superior court rules on the motions, appellees must file a notice in this court with the rulings attached. FURTHER ORDERED: The stay will lift automatically on 09/17/2024 unless before that date appellees file a motion to continue the stay of this appeal. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: The court will set a due date for the answering brief after the superior court rules on appellant's motion for reconsideration and appellees' motion to correct. FURTHER ORDERED: Denying appellees' motion to the extent appellees seek corrections to any other "aspects of the record." Hon Michael J Brown - Author
21. 12-Sep-2024 FILED: Motion to Continue Stay of Appeal for Purposes of Allowing Superior Court to Issue Orders as Required by this Court's August 15, 2024, Order; Certificate of Service (Appellee)
22. 13-Sep-2024 ORDERED: Motion to Continue Stay of Appeal for Purposes of Allowing Superior Court to Issue Orders as Required by this Court's August 15, 2024, Order (Appellee) = GRANTED/ continuing the stay of this appeal until 10/14/2024 for the purposes set forth in this court's 08/15/2024 stay order. FURTHER ORDERED: The stay will lift automatically on 10/15/2024 unless before that date appellees file a motion to continue the stay of this appeal. FURTHER ORDERED: Within 10 days after the superior court rules on the motions described above, appellees must file a notice in this court with the rulings attached. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: The court will set a due date for the answering brief after the superior court rules on appellant's motion for reconsideration and appellees' motion to correct. Steven C Lawrence ProTem Judge - Author