

Court of Appeals, Division One

Special Action

1 CA-SA 25-0338

KUERSCHNER v. KUERSCHNER

Appellate Case Information

Case Filed: 10-Nov-2025

Case Closed: 22-Dec-2025

Reinstated x 1: 10-Feb-2026 Jurisdiction Declined

Re-Closed:

Dept/Composition

Department E

Hon. D Steven Williams

Hon. Andrew M Jacobs

Hon. Michael S Catlett

Consolidated with: 1 CA-CV 25-1053 PB

Side 1. STEFANIE A. KUERSCHNER, Petitioner

(Litigant Group) STEFANIE A. KUERSCHNER

- Stefanie A Kuerschner PRO SE

Side 2. JAMES T. KUERSCHNER, Personal Representative of the ESTATE OF THOMAS W. KUERSCHNER, Respondent

(Litigant Group) JAMES T. KUERSCHNER

- James T Kuerschner
Estate of Thomas Kuerschner
Attorneys for: Respondent
Scott A Erickson, Esq. (AZ Bar No. 15046)
Philip B Whitaker, Esq. (AZ Bar No. 11765)

CASE STATUS

Feb 10, 2026....Reinstated Case

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, PB2021-003597, Kerstin G LeMaire, Authoring Judge of Order

Table with 2 columns: DESCENDENT CASE(S), Cause/Charge/Class. Row 1: ASC, CV-25-0304-PR

OPEN DUE DATE

Response Due Due By: Tuesday, June 2, 2026

Re: * FILED: Request for Leave to File Petitioner's Motion for Leave to File Supplemental Special Action Notice Addressing Material Misstatements, Bankruptcy Record, and Fraud on the Court Concerns; Certificate of Service; Petitioner's Motion for Leave to Fil

7 PENDING MATTERS

General Motion Filed: 22-Feb-2026

* Appellant's Verified Motion for Judicial Notice of Undisputed Court Records and Procedural Matters Pursuant to Ariz. R. Evid. 201 and ARCAP 11 and 21, with Request for Consideration in Special Action Review (Petitioner Pro Per)

General Motion Filed: 4-Mar-2026

* Request for Leave to File Petitioner's Amended Reply Brief in Support of Petition for Special Action and Response to Personal Representative's Answering Brief Filed Pursuant to Ariz. R.P. Spec. Act. 7 and ARCAP 13 (Appellant Pro Per)

General Motion Filed: 17-Mar-2026

* Petitioner Stefanie A. Kuerschner's Motion for Leave to Supplement the Appellate Record Pursuant to ARCAP 11(E) with Material Superior Court Orders and Related Record References Necessary to Ensure Complete and Accurate Appellate Review (Appellant Pro P

General Motion Filed: 17-Apr-2026

Motion to Vacate and Set Aside Prior Orders for Fraud Upon the Court Pursuant to Ariz. R. Civ. P. 60(D)(3), A.R.S. § 14-1106, and the Cour's Inherent Equitable Authority (Signed) (Petitioner Pro Per)

General Motion Filed: 17-Apr-2026

Motion to Vacate and Set Aside Prior Orders for Fraud Upon the Court Pursuant to Ariz. R. Civ. P. 60(D)(3), A.R.S. § 14-1106, and the Cour's Inherent Equitable Authority (Petitioner Pro Per)

General Motion Filed: 20-Apr-2026

Motion for Leave to Present Newly Discovered Evidence of Fraud on the Court, or in the Alternative, for Limited Remand to the Superior Court (Petitioner Pro Per)

General Motion Filed: 13-May-2026

Request for Leave to File Petitioner's Motion for Leave to File Supplemental Special Action Notice Addressing Material Misstatements, Bankruptcy Record, and Fraud on the Court Concerns (Petitioner Pro Per)

Court of Appeals, Division One

Special Action

1 CA-SA 25-0338

KUERSCHNER v. KUERSCHNER

CASE DECISION

14-Nov-2025 ORDER



Vacated

* ORDERED: Petition for Special Action filed in the First Instance Pursuant to A.R.S. § 12-120.21(A)(1) and (4), and Rules 1, 3, 11(c), and 20(a) of the Arizona Rules of Procedure for Special Actions (Petitioner Pro Per) = JURISDICTION DECLINED.

Filed: 14-Nov-2025

Mandate:

Decision Disposition
<i>Jurisdiction Declined</i>

Vacate

D Williams.....Author

50 PROCEEDING ENTRIES

1. 10-Nov-2025 FILED: Petition for Special Action filed in the First Instance Pursuant to A.R.S. § 12-120.21(A)(1) and (4), and Rules 1, 3, 11(c), and 20(a) of the Arizona Rules of Procedure for Special Actions; Certificate of Compliance; Contact Information Sheet - Special Action; Cover Sheet - Appellate Special Action (Petitioner Pro Per)
2. 10-Nov-2025 FILED: Appellate Application for Deferral or Waiver of Court Fees and Consent to Entry of Judgment; Food Assistance Proof; Proof of Food Assistance (Petitioner Pro Per)
3. 10-Nov-2025 ORDERED: Appellate Application for Deferral or Waiver of Court Fees and Consent to Entry of Judgment (Petitioner Pro Per) = DEFERRAL GRANTED/no payments due until further notice. Matthew J Martin - Author
4. 10-Nov-2025 FILED: Special Action Clerk Notice (Assigned to Dept E, Judges Williams, Jacobs, Catlett)
5. 10-Nov-2025 FILED: Special Action Stay Hearing Scheduling Requirements
6. 13-Nov-2025 FILED: Petitioner's Emergency Motion for Stay of Enforcement and for Record Preservation Pending Resolution of Special Action; Certificate of Service; Courtesy Copy - Declaration of Stefanie A. Kuerschner Regarding Motion to Strike as Violation of First and Fourteenth Amendment Rights, filed 08/17/2025 in Maricopa County Superior Court; Courtesy Copy - Amended Declaration of Stefanie A. Kuerschner Re: Violation of 14th Amendment Rights - Equal Protection and Due Process, filed 08/06/2025 in Maricopa County Superior Court (Petitioner Pro Per)
7. 13-Nov-2025 FILED: Notice of Transcript Serive [sic] Transcript Serivce On Opposing Party; Certificate of Service (Petitioner Pro Per)
8. 13-Nov-2025 FILED: Reporter's Transcript - 11/06/2025 - Evidentiary Hearing (Terry Hodges) (Petitioner Pro Per)
9. 14-Nov-2025 ORDERED: Petition for Special Action filed in the First Instance Pursuant to A.R.S. § 12-120.21(A)(1) and (4), and Rules 1, 3, 11(c), and 20(a) of the Arizona Rules of Procedure for Special Actions (Petitioner Pro Per) = JURISDICTION DECLINED. FURTHER ORDERED: Petitioner's Emergency Motion for Stay of Enforcement and for Record Preservation Pending Resolution of Special Action (Petitioner Pro Per) = DENIED as moot. Hon D Steven Williams - Author
[Vacated by ASC Order filed 02/11/2026]
10. 22-Dec-2025 FILED: Letter, 12/22/2025, Copy of Order Declining Special Action Jurisdiction. No physical record to be returned to clerk, Maricopa County Superior Court.
11. 22-Dec-2025 FILED: Notice of Court Fees and Costs Due - payment of court fees in the amount of \$330 or Supplemental Application for waiver or further deferral due by Stefanie A Kuerschner, Petitioner Pro Per by 01/02/2026.
12. 10-Feb-2026 FILED: Arizona Supreme Court Order to COA1 - COA1 Order Declining Jurisdiction Vacated - Remanded to COA1
13. 11-Feb-2026 FILED: Letter from ASC, 02/11/2026, re: Petition for Review GRANTED on 02/10/2026. FURTHER ORDERED: Vacating Court of Appeals' order declining special action jurisdiction. FURTHER ORDERED: Remanding to the Court of Appeals to accept jurisdiction and consider the petition on it's merits.
14. 17-Feb-2026 FILED: ASC Order, 2/17/26, clarifying that the Court of Appeals case at issue in this matter (CV-25-0304-PR) is 1 CA-SA 25-0338, and the Court takes no action related to case number 1 CA-CV 25-0885 because the Petition for Review did not seek review from the order dismissing that case.
15. 18-Feb-2026 FILED: Appellant Opening Brief; Certificate of Compliance; Certificate of Service; Declaration Of Stefanie A. Kuerschner Fraud On The Court – Attorney Fee Judgment (Petitioner Pro Per)
16. 19-Feb-2026 ORDERED: Accepting Special Action Jurisdiction. FURTHER ORDERED: Directing Petitioner to file within five days of this order a copy of each superior court order being challenged. FURTHER ORDERED: Directing Respondent to file a response to the petition for special action by 02/27/2026. FURTHER ORDERED: Petitioner desires to file a reply, to do so within five days of any response. Hon D Steven Williams - Author

Court of Appeals, Division One**Special Action****1 CA-SA 25-0338****KUERSCHNER v. KUERSCHNER****50 PROCEEDING ENTRIES**

17. 20-Feb-2026 FILED: Certificate Of Meet And Confer And Declaration Regarding Threat; Maricopa County Minute Entry dated 2/17/26, Filed 2/18/26; Email confirming Subpoenas were mailed by PR James Kuerschner's attorneys to my mortgage Lender and to my HOA today; Copy of Declaration in Support of Motion to Vacate Sanctions Under Ariz. R. Civ. P. 60(b) Due to Financial Hardship, Retaliation, and Lack of Notice, filed in the Superior Court of Maricopa County 8/2/25 (Petitioner Pro Per)
18. 20-Feb-2026 FILED: Declaration Of Stefanie A. Kuerschner Fraud On The Court – Attorney Fee Judgment; Declaration Of Stefanie A. Kuerschner Fraud On The Court – Attorney Fee Judgment (Duplicate); Maricopa County Superior Court Minute Entry dated 2/18/26, filed 2/20/26; Court of Appeals Mandate Filed 02/09/26 in 1 CA-CV 25-0108 PB (Petitioner Pro Per)
19. 22-Feb-2026 FILED: Appellant's Verified Motion for Judicial Notice of Undisputed Court Records and Procedural Matters Pursuant to Ariz. R. Evid. 201 and ARCAP 11 and 21, with Request for Consideration in Special Action Review; Untitled (Appendix) (Petitioner Pro Per)
20. 24-Feb-2026 FILED: Reporter's Transcript - 07/23/2025 - Debtor's Examination of Stefanie Kuerschner (Phyllis Rissky) (Appellant)
21. 24-Feb-2026 FILED: Reporter's Transcript - 02/13/2024 - Status Conference (Stacy Grate) (Petitioner Pro Per)
22. 24-Feb-2026 FILED: Reporter's Transcript - 06/04/2024 - Status Conference (Sarah Barnes) (Petitioner Pro Per)
23. 24-Feb-2026 FILED: Reporter's Transcript - 07/25/2025 - Forcible Detainer Trial (Kristine Mayo) (Petitioner Pro Per)
24. 24-Feb-2026 FILED: Petitioner's Notice Identifying and Lodging the Superior Court Orders at Issue in this Special Action Filed Pursuant to The Court's Order Accepting Jurisdiction; Certificate of Service; Untitled (Exhibits 1-6); Untitled (Exhibits 7-8) (Petitioner Pro Per)
25. 24-Feb-2026 FILED: Reporter's Transcripts: 09/03/2025 - Order to Show Cause Hearing (Robin Lawlor); 11/06/2025 - Evidentiary Hearing (Terry Hodges); 12/09/2025 - Order to Show Cause Evidentiary Hearing (Nicole Ferguson); 05/23/2025 - Evidentiary Hearing (Valerie Baxter); 11/27/2024 - Hearing on Application for Attorney's Fees (Joan Lyons); Untitled (Exhibits 17-23); Untitled (Exhibit 24) (Petitioner Pro Per)
26. 24-Feb-2026 FILED: Amended Appellant's Notice Identifying and Lodging the Superior Court Orders at Issue in this Special Action Filed Pursuant to The Court's Order Accepting Jurisdiction; Certificate of Service; Untitled (Exhibits 9-16); Untitled (Exhibits 17-23) (Petitioner Pro Per)
27. 24-Feb-2026 FILED: Reporter's Transcript - 09/03/2025 - Show Cause Hearing (Robin G. Lawlor); Untitled (Exhibit 24); Courtesy Copy Order re: Temporary Restraining Order from Superior Court filed 2/28/2025 (Petitioner Pro Per)
28. 24-Feb-2026 FILED: Reporter's Transcript - 07/24/2025 - Status Hearing (Claire Sigsworth) (Petitioner Pro Per)
29. 24-Feb-2026 FILED: Reporter's Transcript - 06/18/2025 - Status Conference (Kelsey Moore) (Petitioner Pro Per)
30. 27-Feb-2026 FILED: Appellee's [sic] Response To Petition For Special Action And Answering Brief; Certificate Of Compliance Of Appellee's Response To Petition For Special Action And Answering Brief; Certificate of Service; Untitled (Exhibits A-D) (Respondent)
31. 27-Feb-2026 FILED: Reporter's Transcript - 03/11/2025 - Show Cause Hearing (Anne Manscill) (Petitioner Pro Per)
32. 27-Feb-2026 FILED: Reporter's Transcript - 03/14/2024 - Videotaped Deposition of Stefanie Kuerschner (Jeri Barbin); Untitled (Exhibits 1 -3 used in 3-14-2024 Deposition of Stefanie A Kuerschner); Untitled (Exhibits 4-6 used during Deposition of Stefanie A Kuerschner 3-14-2024) (Petitioner Pro Per)
33. 27-Feb-2026 FILED: Reporter's Transcript - 07/16/2024 - Petition for Allowance of Claims Against the Estate (Natasha Fondren); Reporter's Transcript - 07/16/2024 - Petition for Allowance of Claims Against the Estate (Natasha Fondren); Reporter's Transcript - 07/16/2024 - Petition for Allowance of Claims Against the Estate (Natasha Fondren) (Petitioner Pro Per)
34. 27-Feb-2026 FILED: Reporter's Transcript - 07/17/2024 - Bench Trial (Cole Tutino); Reporter's Transcript - 07/17/2024 - Bench Trial (Cole Tutino) (Petitioner Pro Per)
35. 27-Feb-2026 FILED: Reporter's Transcript - 07/19/2024 - Trial Day 3 (Nicole Ferguson); Reporter's Transcript - 07/19/2024 - Trial Day 3 (Nicole Ferguson) (Petitioner Pro Per)
36. 3-Mar-2026 FILED: Petitioner's Reply Brief in Support of Petition for Special Action and Response to Personal Representative's Answering Brief filed Pursuant to Ariz. R.P. Spec. Act. 7 and ARCAP 13; Certificate of Service; Certificate of Service (Duplicate); Courtesy Copy dated 06/19/2025 re: Minute Entry from Superior Court of Arizona (Petitioner Pro Per)
37. 3-Mar-2026 FILED: Arizona Supreme Court Mandate - COA1 Order Declining Jurisdiction Vacated - Remanded to COA1
38. 4-Mar-2026 FILED: Petitioner's Supplemental Notice Identifying Additional Superior Court Orders for Inclusion in the Appellate Record Pursuant to ARCAP 11(A) and Rule 7, Ariz. R.P. Spec. Act; Certificate of Service (Petitioner Pro Per)
39. 4-Mar-2026 FILED: Petitioner's Amended Reply Brief in Support of Petition for Special Action and Response to Personal Representative's Answering Brief Filed Pursuant to Ariz. R.P. Spec. Act. 7 and ARCAP 13; Certificate of Service; Certificate of Compliance (Petitioner Pro Per)
40. 4-Mar-2026 RECEIPT No.: 2026-00274 ; \$165.00, Authorization: #63011277713, Applied to: JAMES T. KUERSCHNER - Class B Filing Fee (\$165.00) Paid for: Frazer Ryan Goldberg & Arnold LLP - By nCourt LLC

Court of Appeals, Division One

Special Action

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KUERSCHNER v. KUERSCHNER

50 PROCEEDING ENTRIES

41. 4-Mar-2026 FILED: Request for Leave to File Petitioner's Amended Reply Brief in Support of Petition for Special Action and Response to Personal Representative's Answering Brief Filed Pursuant to Ariz. R.P. Spec. Act. 7 and ARCAP 13; Certificate of Service (Petitioner Pro Per)
42. 17-Mar-2026 FILED: Petitioner's Notice of Supplemental Authority and Request for Judicial Notice of Undisputed Court Records and Third Party Communications with UMB Bank Pursuant to Ariz. R. Evid. 201 and ARCAP 11(E); Certificate of Service; Untitled (Appendix); Untitled (Appendix) (Petitioner Pro Per)
43. 17-Mar-2026 FILED: Petitioner Stefanie A. Kuerschner's Motion for Leave to Supplement the Appellate Record Pursuant to ARCAP 11(E) with Material Superior Court Orders and Related Record References Necessary to Ensure Complete and Accurate Appellate Review; Certificate of Service (Petitioner Pro Per)
44. 2-Apr-2026 FILED: Declaration of Stefanie A. Kuerschner Regarding Fraud on the Court in Appellate Matter 1-CA-SA-25-0338 [sic]; Courtesy Copy re: Joint Report filed in Superior Court; Courtesy Copy re: Summit Aesthetics LLC's Notice of Claim Against the Estate filed in Superior Court; Courtesy Copy re: Response to Subpoena dated 03/18/2026 (Petitioner Pro Per)
45. 17-Apr-2026 FILED: Motion to Vacate and Set Aside Prior Orders for Fraud Upon the Court Pursuant to Ariz. R. Civ. P. 60(D)(3), A.R.S. § 14-1106, and the Court's Inherent Equitable Authority; Certificate of Service; Untitled (Exhibits); Untitled (Photo Exhibits) (Petitioner Pro Per)
46. 17-Apr-2026 FILED: Motion to Vacate and Set Aside Prior Orders for Fraud Upon the Court Pursuant to Ariz. R. Civ. P. 60(D)(3), A.R.S. § 14-1106, and the Court's Inherent Equitable Authority (Signed); Certificate of Service; Untitled (Exhibits) (Duplicate); Untitled (Exhibits) (Petitioner Pro Per)
47. 20-Apr-2026 FILED: Motion for Leave to Present Newly Discovered Evidence of Fraud on the Court, or in the Alternative, for Limited Remand to the Superior Court; Certificate of Service; Untitled (Exhibits); Untitled (Exhibits) (Petitioner Pro Per)
48. 21-Apr-2026 FILED: Consent to Electronic Distribution; Certificate of Service (Petitioner Pro Per)
49. 7-May-2026 ORDERED: Assigning case number 1 CA-CV 25-1053 PB to the above-listed Department E for consideration. FURTHER ORDERED: Consolidating 1 CA-SA 25-0338 and 1 CA-CV 25-1053 PB. Case number 1 CA-SA 25-0338 is designated the primary number for both matters, and all future documents filed in this consolidated matter must use the caption shown on this order. FURTHER ORDERED: Advising the parties the court is actively considering the merits. The court will issue a written decision in due course. No additional briefing is authorized unless the court specifically orders it. Hon Randall M Howe - Author
50. 13-May-2026 FILED: Request for Leave to File Petitioner's Motion for Leave to File Supplemental Special Action Notice Addressing Material Misstatements, Bankruptcy Record, and Fraud on the Court Concerns; Certificate of Service; Petitioner's Motion for Leave to File Supplemental Special Action Notice Addressing Material Misstatements, Bankruptcy Record, and Fraud on the Court Concerns; Untitled Exhibits (Petitioner Pro Per)