

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-26-0094-PR

KUERSCHNER v KUERSCHNER

Appellate Case Information

Case Filed: 25-Mar-2026
Case Closed:

Dept/Composition

Side 1. THOMAS W. KUERSCHNER, Deceased
(Litigant Group) THOMAS W. KUERSCHNER

Side 2. STEFANIE A. KUERSCHNER, Appellant
(Litigant Group) STEFANIE A. KUERSCHNER

• Stefanie A Kuerschner PRO SE

Side 3. JAMES T. KUERSCHNER, Appellee
(Litigant Group) JAMES T. KUERSCHNER

• James T Kuerschner

Attorneys for: Appellee

Scott A Erickson, Esq. (AZ Bar No. 15046)

Philip B Whitaker, Esq. (AZ Bar No. 11765)

CASE STATUS

Mar 25, 2026....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-CV 25-0491 PB					
↳ MAR PB2021-003597	Application for Informal Probate		Lisa Ann Vandenberg, Authoring Judge of Order Comments: (none)		

16 PROCEEDING ENTRIES

- 25-Mar-2026 FILED: [STRICKEN per ASC Order Dated 04/08/26] Appellant's Petition for Review to the Arizona Supreme Court Pursuant to ARCAP 23 Challenging the Court of Appeals' Decision in Case No. 1-CA-CV-25-0491-PB and Raising Constitutional Due Process Violations, Fraud Upon the Court, Suppression of Financial Evidence, and Improper Sanctions Against an Indigent Pro Se Litigant; Certificate of Service; Certificate of Compliance; Memorandum Decision; Superior Court Judgement (Appellant S. Kuerschner, Pro Se)
- 27-Mar-2026 The record provided by the Court of Appeals reflects a court order finding Appellant S. Kuerschner, Pro Se eligible for a deferral of fees. Under Arizona Revised Statutes § 12-302(I), notice is hereby provided that the fee deferral in 1 CA-CV 25-0491 PB for Appellant S. Kuerschner has been continued in CV-26-0094-PR.

Appellant S. Kuerschner is required to report any change in financial circumstances to the Court by filing a document describing the change.

At the conclusion of the case, the court may waive fees, order the party to pay fees, or order the party to provide an updated application. (Aaron C. Nash, Clerk)
- 27-Mar-2026 FILED: Record from CofA: Electronic Record
- 8-Apr-2026 On March 25, 2026, Appellant S. Kuerschner filed a 5,124-word noncompliant "Petition for Review to the Arizona Supreme Court Pursuant to ARCAP 23 Challenging the Court of Appeals' Decision in Case No. 1-CA-CV-25-0491-PB and Raising Constitutional Due Process Violations, Fraud Upon the Court, Suppression of Financial Evidence, and Improper Sanctions Against an Indigent Pro Se Litigant" (the "Petition for Review"). Upon consideration,

IT IS ORDERED that the Petition for Review is stricken.

IT IS FURTHER ORDERED that Appellant may file a petition for review that complies with Arizona Rule of Civil Appellate Procedure 23(g)(2), consisting of no more than 3,500 words no later than April 24, 2026.

IT IS FURTHER ORDERED if a compliant petition for review is not filed by April 24, 2026, this matter may be dismissed without further notice. (Hon William G Montgomery)
- 20-Apr-2026 FILED: Petition for Review Pursuant to A.R.S. § 12-120.24 and ARCAP 23 Challenging Denial of Reconsideration Fraud on the Court Under A.R.S. § 14-1106 Due Process Violations Under the Fourteenth Amendment and Arizona Law; Certificate of Service; Certificate of Compliance; Order Denying Motion for Reconsideration (Appellant S. Kuerschner, Pro Se)
- 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; [RESTRICTED per ASC Order Dated 04/22/2026] Exhibit A [STRICKEN per ASC Order Dated 04/22/2026]; Exhibit B [STRICKEN per ASC Order Dated 04/22/2026(Appellant S. Kuerschner, Pro Se)

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7. 21-Apr-2026 FILED: Notice of Change of Address; Certificate of Service (Appellant S. Kuerschner, Pro Se)
8. 21-Apr-2026 FILED: Consent to Electronic Distribution; Certificate of Service (Appellant S. Kuerschner, Pro Se)
9. 22-Apr-2026 On April 20, 2026, Appellant S. Kuerschner filed a "MOTION FOR LEAVE TO PRESENT NEWLY DISCOVERED EVIDENCE OF FRAUD ON THE COURT, OR IN THE ALTERNATIVE, FOR LIMITED REMAND TO THE SUPERIOR COURT" (the "Motion for Leave"). The Motion for Leave raises new arguments and attempts to add to the arguments in Appellant's petition for review. Additionally, Appellant's materials include unredacted personal and financial information considered sensitive data. Upon consideration,
- IT IS ORDERED denying the Motion for Leave. The Court will consider the petition for review in due course.
- IT IS FURTHER ORDERED that the Clerk of the Court redact the Motion for Leave from page 26 through the end of the document.
- IT IS FURTHER ORDERED that the Clerk of the Court strike the two exhibits that were uploaded separately with the Motion. (Hon. William G. Montgomery)
10. 1-May-2026 FILED: [STRICKEN per ASC Order Dated 05/06/2026] Corrected Petition for Review Pursuant to Article 6, Section 5(3) of the Arizona Constitution, A.R.S. 12-120.24, and Rule 23, Arizona Rules of Civil Appellate Procedure; Certificate of Service (Appellant S. Kuerschner, Pro Se)
11. 1-May-2026 FILED: Motion to Clarify and for Limited Procedural Supplement Regarding Existing Petition for Review; Certificate of Service (Appellant S. Kuerschner, Pro Se)
12. 6-May-2026 On March 25, 2026, Appellant S. Kuerschner filed "Appellant's Petition for Review to the Arizona Supreme Court Pursuant to ARCAP 23 Challenging the Court of Appeals' Decision in Case No. 1-CA-CV-25-0491 PB and Raising Constitutional Due Process Violations, Fraud Upon the Court, Suppression of Financial Evidence, and Improper Sanctions Against an Indigent Pro Se Litigant." The Certificate of Compliance indicated that the petition for review contained approximately 5,124 words. The Court entered an order on April 8, 2026, striking the petition for review and granting Appellant an extension until April 24, 2026, to file a new petition for review that complies with Arizona Rule of Civil Appellate Procedure 23(g)(2).
- On April 20, 2026, Appellant filed a "Petition for Review Pursuant to A.R.S. § 12-120.24 and ARCAP 23 Challenging Denial of Reconsideration; Fraud on the Court Under A.R.S. § 14-1106; Due Process Violations Under the Fourteenth Amendment and Arizona Law; and Fundamental Record Integrity Errors." The document did not include the Supreme Court case number in the caption, but the Clerk of the Court filed it in this matter based on the Court of Appeals case number identified in the caption.
- On May 1, 2026, Appellant filed a "Corrected Petition for Review Pursuant to Article 6, Section 5(3) of the Arizona Constitution, A.R.S. § 12-120.24, and Rule 23, Arizona Rules of Civil Appellate Procedure." She also filed a "Motion to Clarify and for Limited Procedural Supplement Regarding Existing Petition for Review."
- Upon consideration,
IT IS ORDERED: denying Appellant's "Motion to Clarify and for Limited Procedural Supplement Regarding Existing Petition for Review."
- IT IS FURTHER ORDERED: striking Appellant's "Corrected Petition for Review Pursuant to Article 6, Section 5(3) of the Arizona Constitution, A.R.S. § 12-120.24, and Rule 23, Arizona Rules of Civil Appellate Procedure" because a second Petition for Review is not permitted under Arizona Rule of Civil Appellate Procedure 23(a).
- IT IS FURTHER ORDERED: Appellant's "Petition for Review Pursuant to A.R.S. § 12-120.24 and ARCAP 23 Challenging Denial of Reconsideration; Fraud on the Court Under A.R.S. § 14-1106; Due Process Violations Under the Fourteenth Amendment and Arizona Law; and Fundamental Record Integrity Errors" will be considered in due course. (Hon. Kathryn H. King)
13. 22-May-2026 FILED: Emergency Motion to Stay Enforcement of Recorded Attorney Fee Judgment and Preserve Status Quo Pending Consideration of Petition for Review; Certificate of Service (Appellant S. Kuerschner, Pro Se)
14. 26-May-2026 On April 20, 2026, Stefanie Kuerschner ("Appellant"), pro se, filed a Petition for Review Pursuant to A.R.S. § 12-120.24 and ARCAP 23 Challenging Denial of Reconsideration; Fraud on the Court Under A.R.S. § 14-1106; Due Process Violations Under the Fourteenth Amendment and Arizona Law; and Fundamental Record Integrity Errors (the "Petition for Review").
- On May 22, 2026, Appellant filed an Emergency Motion to Stay Enforcement of Recorded Attorney Fee Judgment and Preserve Status Quo Pending Consideration of Petition for Review ("Emergency Stay Motion").
- As the Court has advised Appellant in its previous orders denying Appellant's various requests for stays, a party seeking a stay must establish the following elements: (1) a strong likelihood of success on the merits; (2) the possibility of irreparable harm if the stay is not granted; (3) that the balance of hardships favors the party seeking the stay; and (4) that public policy favors the granting of the stay. See *Smith v. Arizona Citizens Clean Elections Comm'n*, 212 Ariz. 407, 410 ¶ 10 (2006). The Court finds Appellant has not established that she is entitled to a stay of the enforcement of the attorney fee awards.
- Therefore,
IT IS ORDERED denying the Emergency Stay Motion. The Petition for Review will be considered in due course. (Hon. Kathryn H. King)

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16 PROCEEDING ENTRIES

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| 15. | 28-May-2026 | FILED: Joinder Motion and Petition for Review; Request for Consolidation, Judicial Notice, and Protective Relief; Certificate of Service; Appellant's Notice of Extraordinary Sanctions, Recorded Judgments, and Imminent Property Harm; Request for Judicial Notice and Limited Protective Relief; Declaration of Fraud on the Court (Appellant S. Kuerschner, Pro Se) |
| 16. | 1-Jun-2026 | On May 28, 2026, Petitioner S. Kuerschner filed a "Joinder Motion and Petition for Review; Request for Consolidation, Judicial Notice, and Protective Relief" (the "Motion"). The Motion's caption referenced case number CV26-0094-PR, CV26-0143-PR, and CV-26-0164-PR. In the Motion, Petitioner asks the Court to join and consolidate these referenced cases along with cases pending at the Superior Court, the Court of Appeals, and the United States District Court for the District of Arizona. She also asks the Court to vacate orders, judgment, and attorney fee awards regardless of whether they were appealed or affirmed on appeal. She asks for additional relief that is not pending before the Court, including declaratory relief and injunctive relief. |

Upon consideration,
IT IS ORDERED denying the Joinder Motion and Petition for Review; Request for Consolidation, Judicial Notice, and Protective Relief. (Hon. John R Lopez IV)