

Arizona Supreme Court
State Bar Disciplinary - Appeal

SB-24-0007-AP

In the Matter of APRIL ARLENE SPONSEL

Appellate Case Information

Case Filed: 22-Jan-2024
 Case Closed:

Dept/Composition

Side 1. In the Matter of APRIL ARLENE SPONSEL, Respondent
(Litigant Group) In the Matter of APRIL ARLENE SPONSEL

- April Sponcel
 AZ Bar No. 23009

Attorneys for: Respondent
 David E Wood, Esq. (AZ Bar No. 21403)
 Jonathan A Dessales, Esq. (AZ Bar No. 19439)

(Litigant Group) STATE BAR OF ARIZONA

- State Bar of Arizona

Attorneys for: State Bar of Arizona
 Craig D Henley, Esq. (AZ Bar No. 18801)
 Stacy L Shuman, Esq. (AZ Bar No. 18399)

CASE STATUS

Jan 22, 2024....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
PDJ PDJ20239018			Margaret H Downie, Hearing		

32 PROCEEDING ENTRIES

- 22-Jan-2024 FILED: Record on Appeal - PDJ (Notice of Appeal)
 (Applicant has a balance of \$10,650.13)
 (State Bar filed Cross-Appeal)
- 22-Jan-2024 FILED: Exhibits- 9(CD's); 1 Flash drive
- 31-Jan-2024 FILED: Notice Designating Transcripts and Transcript Order; Certificate of Service (Repondent Sponcel)
- 1-Feb-2024 The Clerk having received the notice of designation of transcripts from Respondent Sponcel on January 31, 2024,
 IT IS ORDERED that pursuant to Rule 59(e), Rules of the Supreme Court, Respondent shall arrange for transcription at her own expense. Respondent shall file the certified transcripts and serve a copy on the State Bar on or before March 4, 2024. Upon receipt of all of the identified transcripts, the notice of docketing will issue forthwith. The certified transcripts shall be eFiled through Turbocourt. Sealed documents shall be filed at the Clerk's Office. (Tracie K. Lindeman, Clerk)
- 4-Mar-2024 FILED: Notice of Filing Transcripts; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Certified Transcript of Recorded Proceedings [Day 1]; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Transcript of Recorded Proceedings [Day 2]; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Transcript of Recorded Proceedings [Day 3]; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Transcript of Recorded Proceedings [Day 4]; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Transcript of Recorded Proceedings [Day 5]; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Transcript of Recorded Proceedings [Day 6]; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Transcript of Recorded Proceedings [Day 7]; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: Motion to File Transcripts Under Seal; Certificate of Service (Repondent Sponcel)
- 4-Mar-2024 FILED: (SEALED) Reporter's Transcript of Recorded Proceedings Hearing (Day 3)- Seal Proceedings (Repondent Sponcel)
- 4-Mar-2024 FILED: (SEALED) Reporter's Transcript of Recorded Proceedings Hearing (Day 5)- Seal Proceedings (Repondent Sponcel)

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16. 12-Mar-2024 On March 4, 2024, Applicant Sponcel filed "Motion to File Transcripts Under Seal," seeking to file under seal the Transcripts of Hearing – Day 3 Sealed Proceedings and the Transcripts of Hearing — Day 5 Sealed Proceedings. After consideration,
- IT IS ORDERED granting the motion to seal the transcripts of "Day 3 Sealed Proceedings" and "Day 5 Sealed Proceedings." The Clerk of the court shall maintain these transcripts under seal. (Hon. James P. Beene)
17. 12-Mar-2024 FILED: (SEALED) Reporter's Transcript of Recorded Proceedings (Day 3) October 10, 2023- Seal Proceedings (Respondent Sponcel)
18. 12-Mar-2024 FILED: (SEALED) Reporter's Transcript of Recorded Proceedings (Day 5) October 20, 2023- Seal Proceedings (Respondent Sponcel)
19. 26-Mar-2024 Pursuant to Rule 59(f), Ariz. R.Sup.Ct,
- NOTICE IS HEREBY GIVEN that the Notice of Appeal filed by Respondent April Arlene Sponcel and the Arizona State Bar's Notice of Cross-Appeal have been docketed along with the Record and Transcripts.
- The following is the briefing schedule for the filing of the briefs. The briefs shall be eFiled with the Arizona Supreme Court Clerk's Office:
- Respondent's and the State Bar's opening brief are due no later than April 25, 2024;
- Respondent's and the State Bar's answering briefs shall be filed no later than thirty (30) days after service of the opening brief. The State Bar may combine in one brief the opening cross-appeal brief and answering brief. If the State Bar elects to file a combined brief, it shall be filed no later than thirty (30) days after service of Respondent's opening brief; and
- Reply briefs may be filed no later than fifteen (15) days after the service of the answering brief.
- The parties are encouraged to review Rule 59(h), Ariz. R.Sup.Ct., as to the form, length, and content of the briefs. (Tracie K. Lindeman, Clerk)
20. 12-Apr-2024 FILED: Motion to Extend Briefing Deadlines; Certificate of Service (Respondent Sponcel)
21. 17-Apr-2024 Respondent has filed a "Motion to Extend Briefing Deadlines," requesting a 30-day extension for the parties to submit their opening briefs. Upon consideration,
- IT IS ORDERED granting the motion to extend the briefing deadlines in this matter.
- IT IS FURTHER ORDERED that both parties' opening briefs shall be filed no later than May 28, 2024. No further extensions will be granted absent extraordinary circumstances.
- IT IS FURTHER ORDERED that Respondent's and the State Bar's answering briefs shall be filed no later than thirty (30) days after service of the opening brief. The State Bar may combine in one brief the opening cross-appeal brief and answering brief. If the State Bar elects to file a combined brief, it shall be filed no later than thirty (30) days after service of Respondent's opening brief. Reply briefs may be filed no later than fifteen (15) days after the service of the answering brief. (Tracie K. Lindeman, Clerk)
22. 28-May-2024 FILED: Appellant's Opening Brief; Certificate of Service; Certificate of Compliance (Repondent Sponcel)
23. 28-May-2024 FILED: Appellant's Motion to Exceed Rule 59(f) Word Limit for Opening Brief; Certificate of Service (Repondent Sponcel)
24. 30-May-2024 Respondent Sponcel having filed "Appellant's Motion to Exceed Rule 59(f) Word Limit for Opening Brief" on May 28, 2024, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count,
- IT IS ORDERED the motion is granted. The opening brief shall be filed as of May 28, 2024. (Tracie K. Lindeman, Clerk)
25. 27-Jun-2024 FILED: [STRICKEN Per ASC Order Filed 7/01/2024] State Bar of Arizona's Answering Brief; Certificate of Service; Certificate of Compliance (State Bar of Arizona)
26. 27-Jun-2024 FILED: State Bar of Arizona's Motion to Exceed Rule 59(h) Word Limitation; Certificate of Service (State Bar of Arizona)

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27. 1-Jul-2024 On June 27, 2024, the State Bar of Arizona filed a "Motion to Exceed Rule 59(h) Word Limitation," along with a 16,850 word count answering brief. The Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count,
- IT IS ORDERED denying the State Bar's request.
- IT IS FUTHER ORDERED the answering brief is stricken.
- IT IS FURTHER ORDERED that State Bar may file an answering brief of no more than 14,000 words on or before July 16, 2024. Reply briefs may be filed no later than fifteen (15) days after service of the answering brief. (Tracie K. Lindeman, Clerk)
28. 5-Jul-2024 FILED: State Bar of Arizona's Answering Brief; Certificate of Service; Certificate of Compliance (State Bar of Arizona)
29. 22-Jul-2024 FILED: Appellant's Motion to Exceed Rule 59(f) Word Limit for Reply Brief; Certificate of Service (Repondent SponseL)
30. 22-Jul-2024 FILED: Appellant's Reply Brief; Certificate of Service; Certificate of Compliance (Repondent SponseL)
31. 23-Jul-2024 Respondent SponseL having filed "Appellant's Motion to Exceed Rule 59(f) Word Limit for Reply Brief" on July 22, 2024, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count,
- IT IS ORDERED the motion is granted. The reply brief shall be filed as of July 22, 2024. (Tracie K. Lindeman, Clerk)
32. 6-Aug-2024 Justice Montgomery is recused and will not participate in the above captioned matter. Therefore, pursuant to Article 6, Section 3 of the Arizona Constitution,
- IT IS ORDERED that the Honorable Jennifer M. Perkins, Judge of the Arizona Court of Appeals, Division One, Phoenix, is designated to sit on the case until it is finally determined. (Hon. Ann A. Scott Timmer)