

Court of Appeals, Division One
Civil Appeal

1 CA-CV 14-0856

MONGE v. SUN VALLEY et al.

Appellate Case Information Case Filed: 30-Dec-2014 Case Closed:	Dept/Composition Department B Hon. Samuel A Thumma Hon. Maurice Portley Hon. John C Gemmill
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Side 1. VERONICA MONGE, Plaintiff/Appellant
(Litigant Group) VERONICA MONGE

• Veronica Monge PRO SE

Side 2. SUN VALLEY MASONRY, INC., an Arizona corporation; FELIPE DUARTE, Defendant/Appellee
(Litigant Group) SUN VALLEY MASONRY/DUARTE

• Sun Valley Masonry Inc • Felipe Duarte	Co-Counsel for: Defendants/Appellees Steven G Mesaros, Esq. (AZ Bar No. 9215) Kelly Hedberg, Esq. (AZ Bar No. 24934) Hoyt S Neal, Esq. (AZ Bar No. 25898)
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CASE STATUS

Oct 3, 2016.....Pending in ASC

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2010-081037	Tort Wrongful Death		David M Talamante, Authoring Judge of Order		

DESCENDENT CASE (S)
ASC CV-16-0157-PR

CASE DECISION

09-Jun-2016 MEMORANDUM DECISION

Samuel Thumma.....Author
 Maurice Portley.....Concur
 John Gemmill.....Concur

Filed: 09-Jun-2016	Mandate:
Decision Disposition	
Affirmed	

55 PROCEEDING ENTRIES

- 30-Dec-2014 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/21/14; Amended Notice of Appeal filed 11/22/14
Bond filed in Superior Court: None
Docketing Statement filed in Superior Court: 12/9/14
- 30-Dec-2014 FILED: e-Record on Appeal: Instruments/Minute Entries
Exhibits - not sent at this time
- 14-Jan-2015 FILED: Notice to Parties re: Appellant's Fee/Brief Due
- 15-Jan-2015 FILED: Reporter's Transcript - 06/09/14 - Trial - Day 1 (Tami Mayes)
- 15-Jan-2015 FILED: Reporter's Transcript - 6/10/14 (Cyndi Poitra, Linda Gundelach, Anne Damos, Jennifer Lindeman)
- 15-Jan-2015 FILED: Reporter's Transcript - 6/11/14 (Karen Noland, Rebee Hunter)
- 15-Jan-2015 FILED: Reporter's Transcript - 6/12/14 (Shirley Shilt, Kathy Lattimore)
- 15-Jan-2015 FILED: Reporter's Transcript - 06/16/2014 - Trial - Day 5 (Jessica B Cahill, Jo Shank, Eileen Dhondt)
- 15-Jan-2015 FILED: Reporter's Transcript - 06/17/14 - Trial - Day 6 (Jessica B Cahill, Renee Hunter)

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10. 15-Jan-2015 FILED: Reporter's Transcript - 06/18/14 - Trial - Day 7 (Liesl Springer)
11. 15-Jan-2015 FILED: Reporter's Transcript - 06/19/14 - Trial - Day 8 (Matthew Smith)
12. 15-Jan-2015 FILED: Reporter's Transcript - 06/23/14 - Trial - Day 9 (Dianna Aldom, Cyndi Poitra, Liesl Springer, Jennifer Lindeman)
13. 15-Jan-2015 FILED: Reporter's Transcript - 06/24/14 - Trial - Day 10 (Karen Noland, Kathy Lattimore, Laura Hinton)
14. 21-Jan-2015 FILED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Appellant, Pro Per)
15. 22-Jan-2015 ORDERED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Appellant, Pro Per) = DEFFERAL GRANTED/any or all filing fees. No payments will be due until further notice. Ruth Willingham - Author
16. 9-Mar-2015 FILED: Appellant's Unopposed Motion to Extend Appellant's (sic) Opening Brief Deadline; fedex proof of sent package; copy of proof document sent by fed ex to Mesaros; proof document was also faxed to mesaros (Appellant)
17. 10-Mar-2015 ORDERED: Appellant's Unopposed Motion to Extend Appellant's (sic) Opening Brief Deadline = GRANTED. Due date EXTENDED from Monday, 03-16-2015 to Wednesday, 04-15-2015. Melina Brill ProTem Judge - Author
18. 15-Apr-2015 FILED: Appellant's Motion to Extend Appellant's[sic] Opening Brief Deadline; Courtesy Copy - Email dated 4/15/15 from Veronica Monge to Counsel for Appellees Re Service of Motion to Extend Appellant's Opening Brief (Appellant Pro Per)
19. 15-Apr-2015 FILED: Ammended [sic] Appellant's Motion to Extend Appellant's [sic] Opening Brief Deadline; Courtesy Copy - Fed Ex Receipt (attached to Amended Motion to Extend Opening Brief); Courtesy Copy - FedEx Receipt (attached to Amended Motion to Extend Opening Brief) (Appellant Pro Per)
20. 16-Apr-2015 ORDERED: Appellant's Motion to Extend Appellant's opening brief= GRANTED. Due date EXTENDED from Wednesday, 04-15-2015 to Tuesday, 05-05-2015. FURTHER ORDERED: Denying appellant's request for appointed counsel. Melina Brill ProTem Judge - Author
21. 6-May-2015 FILED: Opening Brief of Appellee Veronica Monge, Pro Se; Courtesy copies of tracking numbers for priority mail; Letter, undated, to COA re: video of malfunction with tourbocourt (Appellant Pro Per)
22. 6-May-2015 FILED: Letter, undated, to COA re: video of malfunction with tourbocourt (Appellant Pro Per)
23. 6-May-2015 FILED: Letter, undated, to COA re: video of malfunction with tourbocourt (Appellant Pro Per)
24. 8-May-2015 FILED: Appellee's Notice re: Appellee's Fee/Brief Due
25. 19-May-2015 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee)
26. 26-May-2015 RECEIPT No.: 2015-00718 ; \$140.00, Authorization: #46007581717, Applied to: SUN VALLEY MASONRY/DUARTE - Class B Filing Fee (\$140.00) Paid for: Renaud Cook Drury Mesaros PA - By Integrated Resource Systems IN
27. 16-Jun-2015 FILED: Stipulated Motion for Extension of Time to File Answering Brief (Motion for Procedural Order -ARCAP 6(b); Certificate of Service re: Stipulated Motion for Extension of Time (Answering Brief) (Appellee)
28. 17-Jun-2015 ORDERED: Stipulated Motion for Extension of Time to File Answering Brief (Motion for Procedural Order -ARCAP 6(b) (Appellee) = GRANTED. Due date EXTENDED from Monday, 06-22-2015 to Wednesday, 07-22-2015. Melina Brill ProTem Judge - Author
29. 19-Jun-2015 FILED: Notice of Appearance; Certificate of Service re Notice of Appearance (Appellees)
30. 22-Jul-2015 FILED: Notice of Appearance; Certificate of Service re Notice of Appearance (Appellee)
31. 22-Jul-2015 FILED: Appellees Answering Brief; Appellees' Answering Brief Certificate Of Compliance; Appellees' Answering Brief Certificate Of Service (Appellee)
32. 10-Aug-2015 FILED: Untitled: Copy of Fedex Postage (Appellant)
33. 10-Aug-2015 FILED: Appellant's (sic) Motion to Extend Appellant's (sic) Response to Appelle's (sic) Response to Opening Brief; Copy of Fedex Postage (Appellant)
34. 11-Aug-2015 ORDERED: Appellant's (sic) Motion to Extend Appellant's (sic) Response to Appelle's (sic) Response to Opening Brief (Reply Brief) (Appellant)= GRANTED. Due date EXTENDED from Monday, 08-17-2015 to Tuesday, 09-08-2015. Melina Brill ProTem Judge - Author

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35. 8-Sep-2015 FILED: Appellants' (sic) Veronica Monge Answering Brief, Pro Se (Reply Brief); Picture of Priority Mail 1-Day and receipt (stricken per order filed on 12/7/15 - rsl)
36. 5-Oct-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
37. 15-Oct-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
38. 15-Oct-2015 FILED: Additional Record on Appeal:
Exhibits: HD 6/9/14 - List and # 1 2 3 12 13 14 15 16 17 18 20 22 25 26 30 37 38 39 40 41 42 43 44 47 45 48 49 50 51 52 53 54 55 58 61 62 63 64 in box.
39. 26-Oct-2015 FILED: Motion to Strike Reply Brief; Certificate of Service re Motion to Strike Reply Brief (Appellee)
40. 16-Nov-2015 FILED: Appellant's Response to Appellees Motion to Strike; Certificate of Service (Appellant)
41. 7-Dec-2015 ORDERED: Motion to Strike Reply Brief (Appellee) = GRANTED and striking reply brief filed on 9/8/15. FURTHER ORDERED: granting appellant to/including 1/7/16 to file a brief that complies w/ ARCAP. Melina Brill ProTem Judge - Author
42. 15-Dec-2015 FILED: Notice of Substitution of Counsel Within Firm; Certificate of Service (Appellee)
43. 7-Jan-2016 FILED: Motion to Extend Appellant Reply Brief; Certificate of Service (Appellant)
44. 11-Jan-2016 ORDERED: Extending the time to file the Reply Brief to/including 1/19/16. Melina Brill ProTem Judge - Author
45. 19-Jan-2016 FILED: Certificate of Service re Appellant's Answer to Appellee's Reply Brief (Appellant)
46. 20-Jan-2016 FILED: Appellants' (sic) Veronica Monge Reply Brief, Pro Se; Appellants' (sic) Veronica Monge Reply Brief, Pro Se (duplicate); Certificate of Service re Appellant's Answer to Appellee's Reply Brief (Appellant Pro Per)
47. 31-Mar-2016 CLNDR: CONFERENCE, Department B, 5-17-16, COURTROOM 2.
48. 9-Jun-2016 MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Maurice Portley - Concur; Hon John C Gemmill - Concur
49. 9-Jun-2016 FILED: Memorandum Decision Distribution List
50. 13-Jul-2016 FILED: ASC Order filed 7/13/16 re: extending time to file Petition for Review to 8/11/16
51. 12-Aug-2016 FILED: ASC Order filed 08/12/2016 re: extending time for filing Petition for Review to 08/25/2016
52. 30-Aug-2016 FILED: ASC Order filed 08/30/2016 re: extending time for filing Petition for Review to 08/31/2016
53. 6-Sep-2016 FILED: ASC Order filed 09/06/2016 re: extending time for filing Petition for Review to 09/16/2016
54. 3-Oct-2016 FILED: Email Notice from ASC re: Petition for Review filed 9/29/16; request for partial record
55. 4-Oct-2016 FILED: Letter forwarding partial record to Arizona Supreme Court