

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 15-0335 FC

MCDANIEL v. SUNDBERG

Appellate Case Information

Case Filed: 18-May-2015

Case Closed:

Dept/Composition

Department B

Hon. Kent E Cattani
Hon. Samuel A Thumma
Hon. Randall M Howe

Side 1. In re the Matter of:

KIMBERLEY MCDANIEL, Plaintiff/Appellee

(Litigant Group) KIMBERLEY MCDANIEL

- Kimberley McDaniel

Attorneys for: Plaintiff/Appellee

Steven Douglas Sheldon, Esq. (AZ Bar No. 3853)

Side 2. GREGORY SCOTT SUNDBERG, Defendant/Appellant

(Litigant Group) GREGORY SCOTT SUNDBERG

- Gregory Scott Sundberg

Attorneys for: Defendant/Appellant

Jeffrey M Zurbruggen, Esq. (AZ Bar No. 16345)

CASE STATUS

Dec 13, 2016....Pending Closure

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, FC2015-051625, Order of Protection, Richard F Albrecht, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-16-0191-PR

OPEN DUE DATE

Stay Request (re: Writ of Certiorari) due

Due By: Wednesday, December 28, 2016

Re: FILED: Letter from ASC, 12/13/2016, re: Petition for Review DENIED on 12/13/2016, Request for Attorneys' Fees (Appellee McDaniel) DENIED on 12/13/2016, Request for Attorneys' Fees (Appellant Sundberg) DENIED on 12/13/2016

CASE DECISION

14-Jul-2016 MEMORANDUM DECISION

Randall Howe.....Author
Kent Cattani.....Concur
Samuel Thumma.....Concur

Filed: 14-Jul-2016 Mandate:

Decision Disposition

Vacated

49 PROCEEDING ENTRIES

- 1. 18-May-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/24/15
2. 18-May-2015 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time
3. 1-Jun-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 8-Jun-2015 RECEIPT No.: 2015-00778 ; \$280.00, Check Number: 4228, Applied to: GREGORY SCOTT SUNDBERG - Class A Filing Fee (\$280.00) Paid for: - By Jeffrey M Zurbruggen PC
5. 15-Jun-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
6. 22-Jun-2015 FILED: Notice of Filing Transcript on Appeal; Certificate of Service; Reporter's Transcript of Proceedings 4/14/15 (Marguerite Leverenz) (Appellant)
7. 22-Jun-2015 FILED: Case Management Statement (Appellant)

**Court of Appeals, Division One****Civil - Family Court****1 CA-CV 15-0335 FC****MCDANIEL v. SUNDBERG****49 PROCEEDING ENTRIES**

8. 24-Jun-2015 FILED: Appellee's Notice of Payment of Filing Fee
9. 24-Jun-2015 RECEIPT No.: 2015-00877 ; \$140.00, Check Number: #160, Applied to: KIMBERLEY MCDANIEL - Class B Filing Fee (\$140.00) Paid for: Launi Jones-Sheldon LLC - By Launi Jones Sheldon LLC
10. 16-Jul-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Supplemental NOA)
11. 28-Jul-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service; (Appellant's Opening Brief) Exhibits One thru Five
12. 28-Jul-2015 FILED: Reporter's Transcript of Proceedings 4/14/15 (Marguerite Leverenz); Certificate of Service (Appellant)
13. 11-Sep-2015 FILED: Notice of Appearance; Certificate of Service (Appellee)
14. 11-Sep-2015 FILED: Certificate of Service (Appellee)
15. 11-Sep-2015 FILED: Certificate of Service (Appellee)
16. 11-Sep-2015 FILED: Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
17. 15-Sep-2015 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 09-14-2015 to Tuesday, 10-13-2015. Barbara Vidal Vaught ProTem Judge - Author
18. 13-Oct-2015 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service
19. 13-Oct-2015 FILED: Motion to Dismiss "Supplemental Appeal"; Certificate of Service (Appellee)
20. 2-Nov-2015 FILED: Appellant's Response to Motion to Dismiss Supplemental Appeal; Certificate of Service (Appellant)
21. 7-Nov-2015 FILED: Appellant's Reply Brief; Certificate of Compliance (unsigned); Certificate of Service
22. 17-Nov-2015 FILED: Reply in Support of Motion to Dismiss Supplemental Appeal; Notice of Service (Appellee)
23. 24-Nov-2015 ORDERED: Dismissing as moot that portion of this appeal arising out of the 7/2/15 Supplemental Notice of Appeal. FURTHER ORDERED: Denying the motion to dismiss as moot. FURTHER ORDERED: Denying appellee's request for an award of attorneys' fees incurred in bringing the motion. Barbara Vidal Vaught ProTem Judge - Author
24. 4-Dec-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
25. 14-Dec-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
26. 14-Dec-2015 FILED: Additional Record on Appeal:  
Exhibits: HD 4/14/15 - List and # 1 2 3 4 in manila envelope.
27. 29-Dec-2015 CLNDR: CONFERENCE, Department B, 2-2-16, COURTROOM 2. (vacated per order filed on 1/20/16 - rsl)
28. 20-Jan-2016 ORDERED: appellant's supplemental opening brief shall be filed no later than 2/19/16; appellee's supplemental answering brief shall be filed no later than 3/21/16; and appellant's supplemental reply brief shall be filed no later than 4/1/16. Both appellant's supplemental opening brief and appellee's supplemental answering brief shall be no longer than 20 pages in length. Supplemental reply brief shall be no longer than 15 pages in length. FURTHER ORDERED: Vacating conference currently set for 2/2/16. Hon Kent E Cattani Judge - Author
29. 21-Jan-2016 AMENDED ORDER: Appellant's Supplemental Opening Brief shall be filed no later than 2/19/16; Appellee's Supplemental Answering Brief shall be filed no later than 3/21/16; Appellant's Supplemental Reply Brief shall be filed no later than 4/11/16. FURTHER ORDERED: Vacating the conference set for 2/2/16 and staying this appeal until 4/11/16. Hon Kent E Cattani Judge - Author
30. 19-Feb-2016 FILED: Appellant's Supplemental Brief; Appellant's Certificate of Compliance; Certificate of Service re: Appellant's Supplemental Brief
31. 21-Mar-2016 FILED: Motion for Extension of Time to File Supplemental Brief; Certificate of Service (Appellee)
32. 23-Mar-2016 ORDERED: Motion for Extension of Time to File Supplemental Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 03-21-2016 to Tuesday, 04-05-2016. Hon Kent E Cattani - Author

**Court of Appeals, Division One**

**Civil - Family Court**

**1 CA-CV 15-0335 FC**

**MCDANIEL v. SUNDBERG**

**49 PROCEEDING ENTRIES**

33. 5-Apr-2016 FILED: Appellee's Supplemental Brief; Certificate of Compliance; Certificate of Service
34. 20-Apr-2016 RECEIPT No.: 2016-00464 ; \$140.00, Check Number: #160, Applied to: KIMBERLEY MCDANIEL - Overpayment Class B (\$140.00) Paid for: - By Launi Jones Sheldon LLC (Memo: x-ref 2015-00877 - Pmt made in error - exempt from fee- refund needed)
35. 20-Apr-2016 RECEIPT No.: 2016-00465 ; \$280.00, Check Number: #4228, Applied to: GREGORY SCOTT SUNDBERG - Overpayment Class A (\$280.00) Paid for: - By Jeffrey M Zurbruggen PC (Memo: x-ref 2015-00778 - pmt made in error - exempt from fee - refund needed)
36. 20-Apr-2016 VOID RECEIPT No.: 2015-00778 - \$-280.00, Check Number: 4228, - Applied to: GREGORY SCOTT SUNDBERG - Class A Filing Fee (\$-280.00) Paid for: - By: Jeffrey M Zurbruggen PC VOID Reason: x-ref 2016-00465 incorrect receivable type(exempt case) refund needed. alc
37. 20-Apr-2016 VOID RECEIPT No.: 2015-00877 - \$-140.00, Check Number: #160, - Applied to: KIMBERLEY MCDANIEL - Class B Filing Fee (\$-140.00) Paid for: Launi Jones-Sheldon LLC - By: Launi Jones Sheldon LLC VOID Reason: x-ref 2016-00464 incorrect receivable type (exempt case) refund needed. alc
38. 25-Apr-2016 FILED: Appellant's Supplemental Reply Brief; Certificate of Compliance re: Appellant's Supplemental Reply Brief; Certificate of Service re: Appellant's Supplemental Reply Brief
39. 25-Apr-2016 FILED: Appellants Motion to Accept Supplemental Reply Brief; Certificate of Service (Appellant)
40. 27-Apr-2016 ORDERED: Appellants Motion to Accept Supplemental Reply Brief (Appellant) = GRANTED and accepting Appellant's supplemental reply brief filed 4/25/16. Hon Kent E Cattani Judge - Author
41. 25-May-2016 FILED: Letter, 05/25/2016, from Court to Law Office of Steven D Sheldon, refunding \$140.00.00 due to monies submitted in error
42. 26-May-2016 FILED: Letter, 05/26/2016, from Court to Jeffrey M Zurbruggen PC, refunding \$280.00 due to monies submitted in error
43. 6-Jun-2016 ORDERED: Setting Conference for 06/06/2016. Hon Kent E Cattani Judge - Author
44. 14-Jul-2016 MEMORANDUM DECISION (Vacated) Hon Randall M Howe - Author; Hon Kent E Cattani Judge - Concur; Hon Samuel A Thumma - Concur
45. 14-Jul-2016 FILED: Memorandum Decision Distribution List
46. 11-Aug-2016 FILED: ASC Order filed 08/11/2016 re: extending time for filing Petition for Review to 09/02/2016
47. 1-Sep-2016 FILED: Email Notice from ASC re: Petition for Review filed 9/1/16; request for partial record
48. 1-Sep-2016 FILED: Letter forwarding partial record to Arizona Supreme Court
49. 13-Dec-2016 FILED: Letter from ASC, 12/13/2016, re: Petition for Review DENIED on 12/13/2016, Request for Attorneys' Fees (Appellee McDaniel) DENIED on 12/13/2016, Request for Attorneys' Fees (Appellant Sundberg) DENIED on 12/13/2016