Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0477 ROBERTS v. WILLS

Appellate Case Information

Case Filed: 21-Jul-2015

Case Closed: 17-Jan-2017

Decision

Dept/Composition

Department A

Hon. Kenton D Jones
Hon. Randall M Howe
Hon. Donn Kessler

Side 1. ALBERT RAY ROBERTS, an adult individual, Plaintiff/Appellant

(Litigant Group) ALBERT RAY ROBERTS

- **Albert Ray Roberts**

Attorneys for: Plaintiff/Appellant

Mick Levin, Esq. (AZ Bar No. 21891)

Side 2. JEREMY WILLS and JANE DOE WILLS, husband and wife; DEBRA WILLS and JOHN DOE WILLS, wife and husband, Defendant/Appellee

(Litigant Group) JEREMY WILLS et al.

- **Jeremy Wills**
- **Debra Wills**

Attorneys for: Defendants/Appellees

Lori L Voepel, Esq. (AZ Bar No. 15342)

CASE STATUS

Jan 17, 2017....Case Closed

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2012-003338	Unclassified Civil		Robert H Oberbillig, Authoring Judge of Order		

CASE DECISION

06-Dec-2016 MEMORANDUM DECISION

Randall Howe.....Author
Kenton Jones.....Concur
Donn Kessler.....Concur

Filed: **06-Dec-2016** Mandate: **17-Jan-2017**

Decision Disposition
Dismissed in Part
Affirmed in Part

39 PROCEEDING ENTRIES

1.	21-Jul-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/22/15
2.	21-Jul-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	28-Jul-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	31-Jul-2015	FILED: Case Management Statement (Appellant)
5.	3-Aug-2015	RECEIPT No.: 2015-01074 ; $280.00, Check Number: 2446, Applied to: ALBERT RAY ROBERTS - Class A Filing Fee ($280.00) Paid for: Mick Levin PLC - By Mick Levin PLC
6.	5-Aug-2015	FILED: Notice of Appearance; Certificate of Service (Appellee)
7.	5-Aug-2015	FILED: Defendants/Appellees Designation of Additional Transcripts for Appeal Pursuant to ARCAP 11(C)(4)(A); Certificate of Service
8.	10-Aug-2015	RECEIPT No.: 2015-01105 ; $140.00, Authorization: #22005057959, Applied to: JEREMY WILLS et al. - Class B Filing Fee ($140.00) Paid for: Jones Skelton & Hochuli PLC - By Integrated Resource Systems IN
9.	15-Sep-2015	FILED: Motion to Extend Time to File Appellant's Opening Brief; Certificate of Service; Order Re: Motion to Extend Time to File Appellant's Opening Brief (Proposed Order)
10.	18-Sep-2015	ORDERED: Motion to Extend Time to File Appellant's Opening Brief = GRANTED. Due date EXTENDED from Monday, 09-28-2015 to Wednesday, 10-28-2015. Melina Brill ProTem Judge - Author
11.	26-Oct-2015	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service

Information presented in this document may not reflect all case activity and is subject to change without notice.

39 PROCEEDING ENTRIES

12.	10-Dec-2015	FILED: Unopposed Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
13.	14-Dec-2015	ORDERED: Unopposed Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 12-14-2015 to Wednesday, 01-13-2016. Melina Brill ProTem Judge - Author
14.	31-Dec-2015	FILED: Answering Brief & Combined Appendix; Certificate of Compliance; Certificate of Service (Appellee)
15.	13-Jan-2016	FILED: Motion to Extend Time to File Appellant's Reply Brief; Certificate of Service; Proposed Order
16.	15-Jan-2016	ORDERED: Motion to Extend Time to File Appellant's Reply Brief = GRANTED in part. Due date EXTENDED from Monday, 01-25-2016 to Tuesday, 02-16-2016. Melina Brill ProTem Judge - Author
17.	19-Jan-2016	FILED: Courtesy copy of Motion to Extend Time to File Appellant's Reply Brief
18.	16-Feb-2016	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service
19.	18-Feb-2016	ORDERED: staying appeal to/including 4/04/2016 and revesting jurisdiction in superior court to permit consideration of an application for signed order with certification of finality pursuant to rule 54(c). FURTHER ORDERED: superior court shall rule on application. FURTHER ORDERED: is superior court grants appellant's application, appellants shall file copy of signed order within 10 days after its entry. Once clerk received order, appeal will be automatically reinstated. FURTHER ORDERED: if appeal has not been reinstated by filing of signed order, appellant shall file request to continue stay of appeal. If appellants do no file request to continue stay, appeal may be dismissed. Barbara Vidal Vaught ProTem Judge - Author
20.	19-Feb-2016	FILED: Notice of Filing and Service of February 25, 2015 Trial Transcript of Proceedings; Certificate of Service; Reporter's Transcript – 02/25/2015 - Trial (Barbara H Stockford) (Appellee)
21.	23-Feb-2016	FILED: Notice of Filing Signed Judgment; Certificate of Service; Signed Judgment
22.	26-Feb-2016	ORDERED: Reinstating this appeal. Barbara Vidal Vaught ProTem Judge - Author
23.	1-Mar-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record [includes signed Order Denying Plaintiff's Motion for a New Trial filed 2/23/16]
24.	1-Mar-2016	FILED: Defendants'/Appellees' Request for Oral Argument; Certificate of Service (Appellee)
25.	2-Mar-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
26.	11-Mar-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
27.	18-Mar-2016	ORDERED: Defendants'/Appellees' Request for Oral Argument (Appellee) = GRANTED. Hon Michael J Brown - Author
28.	29-Mar-2016	FILED: Notice of Change of Firm Address; Certificate of Service (Appellee)
29.	5-Aug-2016	FILED: Notice of Substitution of Counsel Within a Law Firm; Certificate of Service (Appellant)
30.	29-Aug-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department A, 10-25-16, 10:45 am, COURTROOM 2.
31.	6-Sep-2016	FILED: Notice of Oral Argument
32.	13-Sep-2016	FILED: Receipt for Notice of Oral Argument, signed by Lori L Voepel on 09/06/2016 (Appellee)
33.	20-Sep-2016	FILED: Receipt for Notice of Oral Argument, signed by Mick Levin on 09/06/2016; Receipt for Notice of Oral Argument, signed by Mick Levin on 09/06/2016 (duplicate) (Appellant)
34.	25-Oct-2016	FILED: Sign-in Sheet/Case is Under Advisement as of 10/25/2016 (Dept A)
35.	6-Dec-2016	MEMORANDUM DECISION (Dismissed in Part, Affirmed in Part) Hon Randall M Howe - Author; Hon Kenton D Jones - Concur; Hon Donn Kessler - Concur
36.	6-Dec-2016	FILED: Memorandum Decision Distribution List
37.	20-Dec-2016	FILED: Statement of Costs; Certificate of Service (Appellee)
38.	12-Jan-2017	ORDERED: awarding Defendants/Appellees their costs in the amount of $566.40. Amy M Wood - Author

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39 PROCEEDING ENTRIES

39.	17-Jan-2017	FILED: Mandate, No record returned to superior court.

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