Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0573 KELLEHER v. STOREY

Appellate Case Information

Case Filed: 31-Aug-2015

Case Closed:

Dept/Composition

Department B

Hon. Patricia K Norris
Hon. Samuel A Thumma
Hon. Margaret H Downie

Side 1. ESTATE OF JOHN P. KELLEHER, Deceased, Plaintiff/Appellee

(Litigant Group) ESTATE OF JOHN P KELLEHER

- **ESTATE: John P Kelleher**

Attorneys for: Plaintiff/Appellee

Mark A Sippel, Esq. (AZ Bar No. 5506)

Side 2. THOMAS R. STOREY, a single person, aka TOM STOREY, Defendant/Appellant

(Litigant Group) THOMAS R STOREY

- **Thomas R Storey** PRO SE

CASE STATUS

Jan 25, 2017....Pending in ASC

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MOH	S8015CV201500291	Filing Judgment		Charles W Gurtler, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-17-0026-PR

2 OPEN DUE DATES

Response to Attorneys Fees due **Due By:** Monday, January 30, 2017

Re: FILED: Appellees Statement of Attorneys Fees and Cost; Certificate of Service; EXHIBIT A (Appellee)

Response to Costs due **Due By:** Monday, January 30, 2017

Re: FILED: Appellees Statement of Attorneys Fees and Cost; Certificate of Service; EXHIBIT A (Appellee)

2 PENDING MATTERS

General Motion Filed: 6-Jan-2017

Appellees Statement of Attorneys Fees and Cost (Appellee)

General Motion Filed: 6-Jan-2017

Appellees Statement of Attorneys Fees and Cost; Certificate of Service; EXHIBIT A (Appellee)

CASE DECISION

27-Dec-2016 MEMORANDUM DECISION

Margaret Downie.....Author
Patricia Norris.....Concur
Samuel Thumma.....Concur

Filed: **27-Dec-2016** Mandate:

Decision Disposition
Affirmed

37 PROCEEDING ENTRIES

1.	31-Aug-2015	FILED: Index of Record, Notice of Appeal from Mohave County Superior Court filed 08/26/15
2.	31-Aug-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	3-Sep-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due

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

37 PROCEEDING ENTRIES

4.	11-Sep-2015	RECEIPT No.: 2015-01269 ; $280.00, Check Number: #153, Applied to: THOMAS R STOREY - Class A Filing Fee ($280.00) Paid for: - By TOM STOREY
5.	21-Sep-2015	FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
6.	23-Sep-2015	FILED: Case Management Statement (Appellant Pro Per)
7.	23-Sep-2015	FILED: Case Management Statement (Copies of Orders Appealed) (Appellant Pro Per)
8.	29-Sep-2015	RECEIPT No.: 2015-01348 ; $280.00, Authorization: #71018064851, Applied to: THOMAS R STOREY - Overpayment Class A ($280.00) Paid for: THOMAS R STOREY - By Jedediah Bingham (Memo: X-REF 2015-01269)
9.	29-Sep-2015	RECEIPT No.: 2015-01350 ; $280.00, Authorization: #71018064851, Applied to: THOMAS R STOREY - Overpayment Class A ($280.00) Paid for: Jedediah Bingham - By Integrated Resource Systems (Memo: X-REF 2015-01348 OVERPAYMENT 2015-01269 Need Refund)
10.	29-Sep-2015	VOID RECEIPT No.: 2015-01348 - $-280.00, Authorization: #71018064851, - Applied to: THOMAS R STOREY - Overpayment Class A ($-280.00) Paid for: THOMAS R STOREY - By: Jedediah Bingham (Memo: X-REF 2015-01269) VOID Reason: x-ref 2015-01350 incorrect paid for and by. alc
11.	5-Oct-2015	RECEIPT No.: 2015-01376 ; $140.00, Check Number: #11658, Applied to: ESTATE OF JOHN P KELLEHER - Class B Filing Fee ($140.00) Paid for: - By Mark A Sippel PLC
12.	19-Oct-2015	ORDERED: (Judges Jones, Swann, Thumma have reviewed record pursuant to court's duty to determine whether it has jurisdiction over this appeal) staying this appeal to/including 12/3/15, and revesting jurisdiction in Mohave County Superior Court to consider application for signed order corresponding to its orders filed on 6/23/15, 7/27/15 and 8/18/15. FURTHER ORDERED: Within 10 days after superior court issues ruling, appellant shall file a notice w/ this court w/ ruling attached. Appeal will be automatically reinstated. FURTHER ORDERED: If appeal has not been reinstated, appellant shall file a request to continue stay of appeal. If not requested, appeal will be dismissed. FURTHER ORDERED: If signed order has been filed, opening brief shall be due on 1/4/16. Hon Kenton D Jones Judge - Author
13.	9-Nov-2015	FILED: Letter, 11/9/15, from Court to Jedediah Bingham re: Refund of monies submitted in error
14.	23-Nov-2015	FILED: Mohave Superior Court Court Order filed 11/17/15 re: signed orders
15.	1-Dec-2015	FILED: Untitled: Motion to Revest Jurisdiction to Lower Court (Appellant Pro Per)
16.	7-Jan-2016	ORDERED: Untitled: Motion to Revest Jurisdiction to Lower Court (Appellant Pro Per) = GRANTED/continuing stay to/including 3/7/16 and revesting jurisdiction in superior court for purpose of permitting that court to consider application by appellant for signed order corresponding to its unsigned order filed 6/23/15. FURTHER ORDERED: appellant file notice with this court within 10 days after superior court issues ruling, with ruling attached and appellant shall indicate whether he intends to pursue appeal. FURTHER ORDERED: appeal will be reinstated 3/8/16 unless before that date appellant files motion to dismiss or motion to continue stay. FURTHER ORDERED: if a party wishes any subsequent rulings be reviewed in this appeal, timely notice of appeal or amended appeal must be filed. FURTHER ORDERED: opening brief due 4/7/16. Melina Brill ProTem Judge - Author
17.	22-Jan-2016	FILED: Mohave Superior Court Order dated 1/15/16 re: Court declines to issue Rule 54 (c) ARCP, certification at this time.
18.	12-Feb-2016	FILED: Mohave Superior Court order re: denying Motion for Relief; denying Defendant's Application for Fair Market Value Hearing; Court notes said Order contains Rule 54 (c) certification filed 2/8/16
19.	25-Feb-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes signed final judgment filed 2/8/16 with Rule 54(c) language and Amended Notice of Appeal filed 2/19/15)
20.	9-Mar-2016	FILED: Appellants Opening Brief (Appellant Pro Per)
21.	10-Mar-2016	FILED: Notice of Filing Signed Orders (Appellant Pro Per)
22.	22-Apr-2016	FILED: Appellee's Motion to Extend Time for Filing Answering Brief; Certificate of Service (Appellee)
23.	26-Apr-2016	ORDERED: Appellee's Motion to Extend Time for Filing Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 04-25-2016 to Wednesday, 05-25-2016. Melina Brill ProTem Judge - Author
24.	27-Apr-2016	RECEIPT No.: 2016-00501 ; $140.00, Authorization: #17012411511, Applied to: ESTATE OF JOHN P KELLEHER - Overpayment Class B ($140.00) Paid for: Sippel Law Firm PLLC - By Integrated Resource Systems IN (Memo: Duplicate Pmt - See Rcpt 2015-01376 - Refund needed)
25.	18-May-2016	FILED: Appellees Motion to Supplement the Record; Certificate of Service (Appellee)

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37 PROCEEDING ENTRIES

26.	24-May-2016	FILED: Answering Brief of Appellee Estate of John P Kelleher, Deceased; Answering Brief of Appellee Estate of John P Kelleher, Deceased (Duplicate); Answering Brief of Appellee Estate of John P Kelleher, Deceased (Duplicate) (Appellee)
27.	26-May-2016	FILED: Letter, 05/26/2016, from Court to Sippel Law Firm PLLC, refunding $140.00 due to duplicate payment
28.	13-Jun-2016	ORDERED: Appellees Motion to Supplement the Record (Appellee) = DENIED. FURTHER ORDERED: Taking judicial notice of Nevada Trial Court Order and Register of Actions in Nevada District Court Case No. 06A533242. Hon Margaret H Downie - Author
29.	20-Jun-2016	FILED: Appellants Reply (Appellant Pro Per)
30.	28-Jun-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
31.	5-Jul-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
32.	28-Oct-2016	CLNDR: CONFERENCE, Department B, 12-20-16, COURTROOM 1.
33.	27-Dec-2016	MEMORANDUM DECISION (Affirmed) Hon Margaret H Downie - Author; Hon Patricia K Norris - Concur; Hon Samuel A Thumma - Concur
34.	27-Dec-2016	FILED: Memorandum Decision Distribution List
35.	6-Jan-2017	FILED: Appellees Statement of Attorneys Fees and Cost; Certificate of Service; EXHIBIT A (Appellee)
36.	25-Jan-2017	FILED: Email Notice from ASC re: Petition for Review filed 1/17/17; request for partial record
37.	25-Jan-2017	FILED: Letter forwarding partial record to Arizona Supreme Court

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