Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0693 DEUTSCHE v. PENCE

Appellate Case Information

Case Filed: 20-Oct-2015

Case Closed:

Dept/Composition

Department C

Hon. Diane M Johnsen
Hon. Jon W Thompson
Hon. Samuel A Thumma

Side 1. DEUTSCHE BANK NATIONAL TRUST COMPANY, soley as Trustee for Harborview Mortgage Loan Trust Mortgage Loan Pass-Through Certificates, Series 2007-4, Plaintiff/Appellee

(Litigant Group) DEUTSCHE BANK NATIONAL TRUST COMPANY

- **Deutsche Bank National Trust Company**

Co-Counsel for: Plaintiff/Appellee

Robert W Norman, Jr., Esq. (AZ Bar No. 25328)

Calvin J Platten, Jr., Esq. (AZ Bar No. 23978)

Side 2. MICHAEL J. PENCE, TAUNI R. PENCE, Occupants and Parties-In- Possession, Defendant/Appellant

(Litigant Group) MICHAEL J PENCE et al.

- **Michael J Pence** PRO SE
- **Tauni Pence** PRO SE

CASE STATUS

Dec 7, 2016.....Pending in ASC

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2015-001808	Forcible Entry and Detainer		Brian S Rees, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-16-0293-PR

3 PENDING MATTERS

General Motion Filed: 4-Nov-2016

Appellee's Application for Attorneys' Fees and Costs (Appellee)

General Motion Filed: 4-Nov-2016

Appellee's Application for Attorneys' Fees and Costs (Appellee)

General Motion Filed: 13-Dec-2016

Motion for Judgement to Correct Clerical Mistake (Nunc Pro Tunc)

CASE DECISION

01-Nov-2016 MEMORANDUM DECISION

Amended Per Order Filed 11-1-16

Filed: **01-Nov-2016** Mandate:

Decision Disposition
Affirmed

Jon Thompson.....Author

Diane Johnsen.....Concur

Samuel Thumma.....Concur

32 PROCEEDING ENTRIES

1.	20-Oct-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/21/15
2.	20-Oct-2015	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time

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

32 PROCEEDING ENTRIES

3.	27-Oct-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	9-Nov-2015	FILED: Notice of Association of Counsel; Certificate of Service (Appellee)
5.	9-Nov-2015	FILED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Incomplete) (Appellant, Pro Per)
6.	9-Nov-2015	FILED: Civil Appeals Docketing Statement (Appellant Pro Per)
7.	12-Nov-2015	RECEIPT No.: 2015-01578 ; $140.00, Authorization: 16004218507, Applied to: DEUTSCHE BANK NATIONAL TRUST COMPANY - Class B Filing Fee ($140.00) Paid for: Houser & Allison PC - By Integrated Resource Systems IN
8.	13-Nov-2015	FILED: Letter, 11/13/15, from Court to Appellant, Application for Deferral/Waiver to be filed within 10 days
9.	16-Nov-2015	FILED: Motion for Extension of Time to File Opening Brief (Appellant Pro Per)
10.	16-Nov-2015	FILED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Appellant Pro Per)
11.	19-Nov-2015	ORDERED: Motion for Extension of Time to File Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 12-28-2015 to Wednesday, 01-27-2016. Melina Brill ProTem Judge - Author
12.	19-Nov-2015	ORDERED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Appellant Pro Per) = DEFERRAL GRANTED. Any or all filing fees. No payments will be due until further notice. Ruth Willingham - Author
13.	14-Jan-2016	FILED: Second Motion to Enlarge Time to File Opening Brief (Appellant Pro Per)
14.	19-Jan-2016	ORDERED: Second Motion to Enlarge Time to File Opening Brief (Appellant Pro Per) = DENIED. FURTHER ORDERED: Opening brief shall be filed on/before 2/1/16. If opening brief not filed on/before 2/1/16, court shall dismiss this appeal. Barbara Vidal Vaught ProTem Judge - Author
15.	1-Feb-2016	FILED: Appellants' Opening Brief (Appellants Pro Per)
16.	10-Mar-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service
17.	15-Mar-2016	FILED: Appellants' Appendix (to Opening Brief) (Appellants Pro Per)
18.	29-Apr-2016	FILED: Appellants' Reply Brief (Appellants Pro Per)
19.	3-May-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20.	12-May-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
21.	13-May-2016	FILED: Additional Record on Appeal: Exhibits: HD 9/16/15 - List and # 5 in manila envelope.
22.	7-Jul-2016	CLNDR: CONFERENCE, Department C, 9-28-16, COURTROOM 1.
23.	1-Nov-2016	ORDERED: the clerk, by interlineation, shall correct this court's memorandum decision filed 11/01/2016 by substituting the lower case number CV2015-001808 for the case number 2015-001808 in the caption to correctly reflect the status of the matter. Hon Jon W Thompson - Author
24.	1-Nov-2016	MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon Samuel A Thumma - Concur Amended Per Order Filed 11-1-16
25.	1-Nov-2016	FILED: Memorandum Decision Distribution List
26.	4-Nov-2016	FILED: Appellee's Application for Attorneys' Fees and Costs; Certificate of Service; Affidavit in Support of Appellees' Application for Attorneys' Fees and Costs (Appellee)
27.	7-Nov-2016	FILED: Objection to the Awarding of Attorney Fees (Appellant Pro Per)
28.	15-Nov-2016	FILED: Plaintiff/Appellees Reply in Support of its Application for Attorneys Fees and Cost; Certificate of Service (Appellee)
29.	22-Nov-2016	FILED: Appellant's Response to Appellee's Reply in Support of Application for Attorney's Fees and Costs (Appellant Pro Per)

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32 PROCEEDING ENTRIES

30.	7-Dec-2016	FILED: Email Notice from ASC re: Petition for Review filed 11/30/16; request for partial record
31.	7-Dec-2016	FILED: Letter forwarding partial record to Arizona Supreme Court
32.	13-Dec-2016	FILED: Motion for Judgement to Correct Clerical Mistake (Nunc Pro Tunc)

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