

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 15-0774 FC

PETROCELLI v. ANDERSON

Appellate Case Information

Case Filed: 20-Nov-2015

Case Closed:

Dept/Composition

Department D

Hon. Andrew W. Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. In re the Matter of:

MARTIN PETROCELLI, Petitioner/Appellee

(Litigant Group) MARTIN PETROCELLI

- Martin Petrocelli PRO SE

Side 2. IZABELA ANDERSON, Respondent/Appellant

(Litigant Group) IZABELA ANDERSON

- Izabela Anderson PRO SE

CASE STATUS

Dec 30, 2016....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, FC2009-007479, Motion to Modify Parenting Time, Geoffrey H Fish, Authoring Judge of Order.

3 OPEN DUE DATES

Motion for Reconsideration due Due By: Tuesday, January 17, 2017

Re: MEMORANDUM DECISION (Appeal Dismissed) Hon Andrew W Gould - Author; Hon Patricia A Orozco - Concur; Hon Peter B Swann - Concur

Petition for Review to ASC due Due By: Monday, January 30, 2017

Re: MEMORANDUM DECISION (Appeal Dismissed) Hon Andrew W Gould - Author; Hon Patricia A Orozco - Concur; Hon Peter B Swann - Concur

Response to Costs due Due By: Monday, February 6, 2017

Re: FILED: Statement of Costs (Appellee)

PENDING MATTER

General Motion

Filed: 13-Jan-2017

Statement of Costs (Appellee)

CASE DECISION

30-Dec-2016 MEMORANDUM DECISION

Andrew Gould.....Author
Patricia Orozco.....Concur
Peter Swann.....Concur

Filed: 30-Dec-2016 Mandate:

Table with 1 column: Decision Disposition. Row 1: Appeal Dismissed

37 PROCEEDING ENTRIES

- 1. 20-Nov-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/23/15
2. 20-Nov-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 2-Dec-2015 FILED: Notice to Parties re: Appellant's Fee Deferred/Appellee's Fee Due/Appellant's Case Management Statement/Brief Due
4. 2-Dec-2015 ORDERED: the deferral remains in effect unless there is a change in Appellant's financial circumstances. Ruth Willingham - Author

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5. 16-Dec-2015 RECEIPT No.: 2015-01724 ; \$140.00, Check Number: #362, Applied to: MARTIN PETROCELLI - Class B Filing Fee (\$140.00)  
Paid for: - By MARTIN PETROCELLI
6. 6-Jan-2016 ORDERED: case management statement shall be filed on/before 1/19/16. Melina Brill ProTem Judge - Author
7. 19-Jan-2016 FILED: Case Management Statement (Appellant Pro Per)
8. 20-Jan-2016 FILED: Untitled: Motion to Dismiss (Appellee Pro Per)
9. 1-Feb-2016 FILED: Motion to Extend The Due Date for Opening Brief (Appellant Pro Per)
10. 2-Feb-2016 ORDERED: Motion to Extend The Due Date for Opening Brief (Appellant Pro Per) = DENIED. FURTHER ORDERED: Vacating 2/1/16 due date for opening brief. Order ruling on pending motion to dismiss will set a due date for filing opening brief, if motion to dismiss is denied. Barbara Vidal Vaught ProTem Judge - Author
11. 16-Feb-2016 ORDERED: Untitled: Motion to Dismiss (Appellee Pro Per) = DENIED. FURTHER ORDERED: Opening brief shall be filed on/before 3/17/16. Barbara Vidal Vaught ProTem Judge - Author
12. 17-Mar-2016 FILED: Motion for Extension of Time to File Brief (Opening)(Appellant Pro Per)
13. 18-Mar-2016 ORDERED: Motion for Extension of Time to File Brief (Opening)(Appellant Pro Per) = GRANTED. Due date EXTENDED from Thursday, 03-17-2016 to Thursday, 03-31-2016. Barbara Vidal Vaught ProTem Judge - Author
14. 28-Mar-2016 FILED: Reporter's Transcript – 09/16/2015 - Evidentiary Hearing (Diane R McQuisition Speed) (Appellant)
15. 31-Mar-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Proof of Service (Appellant)
16. 4-May-2016 FILED: (Untitled) Motion to Dismiss, or in the alternative, extension of time for filing Answering brief (Appellee Pro Per)
17. 5-May-2016 ORDERED: denying appellee's motion (re: extension of time for filing answering brief). FURTHER ORDERED: Vacating 5/16/16 due date for answering brief. Order ruling on pending motion to dismiss will set a due date for filing answering brief, if motion to dismiss is denied. Melina Brill ProTem Judge - Author
18. 23-May-2016 FILED: Appellant's Response to Appellees Motion to Dismiss (Appellant Pro Per)
19. 31-May-2016 FILED: Appellee's Response to Appellant's Response to Appellee's Motion to Dismiss (Appellee Pro Per)
20. 7-Jun-2016 ORDERED: (Untitled) Motion to Dismiss (Appellee Pro Per) = DENIED. FURTHER ORDERED: (Per Eaton Fruit Co. v. California Spray-Chemical Corp.) Staying appeal to/including 07/25/2016. FURTHER ORDERED: Signed order with due within 10 days after its entry. FURTHER ORDERED: If appeal reinstated by filing of signed order, answering brief due 08/24/2016. Melina Brill ProTem Judge - Author
21. 8-Jul-2016 FILED: Notice (Re: Signed Minute Entry) (Appellant Pro Per)
22. 13-Jul-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including ME dated 6/29/16 filed 7/1/16 re: granting Application/Court will sign and reissue its ME order denying Respondent's Motion for New Trial)
23. 23-Aug-2016 FILED: Appellee's Answering Brief (Appellee Pro Per)
24. 23-Aug-2016 FILED: Appellee's Answering Brief (duplicate) (Appellee Pro Per)
25. 19-Sep-2016 FILED: Request for Oral Argument (Appellant Pro Per)
26. 30-Sep-2016 ORDERED: granting the motion and extending the time for filing the reply brief to/including 09/30/2016. Melina Brill ProTem Judge - Author
27. 4-Oct-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28. 10-Oct-2016 FILED: Proof of Service (Appellant Pro Per)
29. 10-Oct-2016 FILED: Appellant's Reply; Certificate of Compliance; Proof of Service; Child Interview (Appellant Pro Per)
30. 10-Oct-2016 FILED: Certificate of Compliance; Proof of Service (Appellant Pro Per)

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**37 PROCEEDING ENTRIES**

31. 13-Oct-2016 ORDERED: Request for Oral Argument (Appellant Pro Per) = DENIED. Hon Michael J Brown - Author
32. 14-Oct-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
33. 14-Oct-2016 FILED: Additional Record on Appeal:  
Exhibits: HD 07/06/2010 - LIST # 1 2 3 4 5 6 7 8 9 in Manila Envelope; HD 10/12/2011 - LIST # 2 3 4 5 6 11 12 13 16 19 20 23 24 25 28 30 31 32 33 34 35 37 38 41 42 43 in Manila Envelope; HD 03/13/2014 - LIST # 1 2 3 4 5 6 7 10 11 13 15 18 21 22 23 25 28 29 37 38 39 40 41 in Manila Envelope; HD 09/16/2015 - LIST # 1 2 4 6 7 8 9 10 12 14 15 17 18 22 23 25 26 28 29 32 33 37 38 39 42 43 46 52 53 54 55 56 57 58 61 64 66 70 73 84 87 88 89 95 in Manila Envelope
34. 28-Oct-2016 CLNDR: CONFERENCE, Department D, 12-21-16, COURTROOM 2.
35. 30-Dec-2016 MEMORANDUM DECISION (Appeal Dismissed) Hon Andrew W Gould - Author; Hon Patricia A Orozco - Concur; Hon Peter B Swann - Concur
36. 30-Dec-2016 FILED: Memorandum Decision Distribution List
37. 13-Jan-2017 FILED: Statement of Costs (Appellee)