Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0809 HESS et al. v. JP MORGAN et al.

Appellate Case Information

Case Filed: 9-Dec-2015

Case Closed:

Dept/Composition

Department C

Hon. Diane M Johnsen
Hon. Jon W Thompson
Hon. Charles W Gurtler

Side 1. BARRY HESS, et al., Plaintiff/Appellant

(Litigant Group) BARRY HESS

- **Barry Hess** PRO SE

(Litigant Group) GINA KYNAST

- **Gina Kynast** PRO SE

Side 2. JP MORGAN CHASE BANK, N.A., et al., Defendant/Appellee

(Litigant Group) JP MORGAN CHASE BANK NA

- **JP Morgan Chase Bank NA**
- **EMC Mortgage LLC**
- **Wells Fargo Bank NA**
- **Mortgage Electronic Registration Systems Inc**

Attorneys for: Defendants/Appellees

Robert W Shely, Esq. (AZ Bar No. 14261)

Gregory B Iannelli, Esq. (AZ Bar No. 26549)

CASE STATUS

Jan 25, 2017....Pending Closure Jan 6, 2017.....**Pending in ASC**

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2015-050221	Quiet Title and Order for Release of Wrongfully Withheld Insurance Repair Funds		John R Hannah, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-17-0007-PR

OPEN DUE DATE

Petition for Review to ASC due **Due By:** Thursday, February 9, 2017

Re: ORDERED: Appellants Motion for Reconsideration (Appellant Pro Per) = DENIED. Hon Charles W Gurtler Jr - Author

CASE DECISION

06-Dec-2016 MEMORANDUM DECISION

Charles Gurtler.....Author
Diane Johnsen.....Concur
Jon Thompson.....Concur

Filed: **06-Dec-2016** Mandate:

Decision Disposition
Affirmed

39 PROCEEDING ENTRIES

1.	9-Dec-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/10/15
2.	9-Dec-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	17-Dec-2015	FILED: Notice to Parties re: Appellants' Fees/Case Management Statement/Brief Due
4.	31-Dec-2015	RECEIPT No.: 2015-01805 ; $280.00 Applied to: BARRY HESS - Class A Filing Fee ($280.00) Paid for: - By BARRY HESS
5.	31-Dec-2015	RECEIPT No.: 2015-01806 ; $280.00 Applied to: GINA KYNAST - Class A Filing Fee ($280.00) Paid for: - By GINA KYNAST

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

39 PROCEEDING ENTRIES

6.	31-Dec-2015	FILED: Plaintiff/Appellant's Notice of Transcript Order
7.	31-Dec-2015	FILED: Civil Appeals Case Management Statement (Appellant Pro Per)
8.	11-Jan-2016	FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
9.	14-Jan-2016	FILED: Notice of Lis Pendens and Notice of Action Pending (Appellant Pro Per)
10.	19-Jan-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (including Revised Notice of Appeal filed 12/15/15)
11.	26-Jan-2016	FILED: Plaintiff/Appellant's (sic) Notice of Correction re: Notice of Lis Pendens (Appellants Pro Per)
12.	26-Jan-2016	FILED: Plaintiff/Appellant's (sic) Filing of Full Transcript (Appellants Pro Per)
13.	26-Jan-2016	FILED: Reporter's Transcript - 07/02/2015 - Emergency Hearing re: Temporary Restraining Order (Kimberly C McCright) (Appellants Pro Per)
14.	28-Jan-2016	FILED: Notice of Appearance and Payment of Appellees' Filing Fee; Certificate of Service re Notice of Appearance and Payment of Appellees' Filing Fee
15.	2-Feb-2016	RECEIPT No.: 2016-00133 ; $140.00, Authorization: #32025947565, Applied to: JP MORGAN CHASE BANK NA - Class B Filing Fee ($140.00) Paid for: Bryan Cave LLP - By Integrated Resource Systems IN
16.	16-Feb-2016	FILED: Plaintiff/Appellant's Opening Brief (Appellants Pro Per)
17.	8-Mar-2016	FILED: Appellant's Supplement to Opening Brief (Appellant Pro Per)
18.	16-Mar-2016	FILED: Motion for Extension of Time to File Answering Brief (Motion for Procedural Order); Certificate of Service (Appellee)
19.	17-Mar-2016	ORDERED: Motion for Extension of Time to File Answering Brief (Motion for Procedural Order) (Appellee) = GRANTED in part. Due date EXTENDED from Monday, 04-04-2016 to Wednesday, 05-04-2016. Barbara Vidal Vaught ProTem Judge - Author
20.	31-Mar-2016	FILED: Appellant's Emergency Motion for Stay of Eviction Scheduled for April 8th, 2016 (Oral Argument Requested)
21.	5-Apr-2016	ORDERED: denying request for oral argument on motion. FURTHER ORDERED: Denying motion to stay. Hon Kent E Cattani Judge - Author
22.	29-Apr-2016	FILED: Appellants Notice of Recording Federal Discharge of Debt at Issue (Appellant Pro Pers)
23.	3-May-2016	ORDERED: Appellants Notice of Recording Federal Discharge of Debt at Issue (Appellant Pro Pers) = taking no action on notice. Melina Brill ProTem Judge - Author
24.	4-May-2016	FILED: Appellees' Response Brief; Certificate of Compliance Regarding Appellees' Response Brief; Certificate of Filing and Service Regarding Appellees' Response Brief
25.	31-May-2016	FILED: Appellants Revised Prayer for Relief (Appellant Pro Per) (STRICKEN per order dated 06/22/2016)
26.	31-May-2016	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant Pro Pers)
27.	22-Jun-2016	ORDERED: Appellants Revised Prayer for Relief (Appellant Pro Per) = STRICKEN. Melina Brill ProTem Judge - Author
28.	27-Jun-2016	FILED: Appellant's Motion to Amend Request/Prayer for Relief in Opening Brief (Appellant Pro Pers)
29.	28-Jun-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
30.	7-Jul-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
31.	14-Jul-2016	FILED: Appellees' Response to Appellants' Motion to Amend Request / Prayer for Relief in Opening Brief; Certificate of Service (Appellee)
32.	28-Jul-2016	ORDERED: Appellant's Motion to Amend Request/Prayer for Relief in Opening Brief (Appellant Pro Pers) = DENIED. Melina Brill ProTem Judge - Author
33.	26-Sep-2016	CLNDR: CONFERENCE, Department C, 11-9-16, COURTROOM 1.

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34.	6-Dec-2016	MEMORANDUM DECISION (Affirmed) Hon Charles W Gurtler Jr - Author; Hon Diane M Johnsen - Concur; Hon Jon W Thompson - Concur
35.	6-Dec-2016	FILED: Memorandum Decision Distribution List
36.	3-Jan-2017	FILED: Appellants Motion for Reconsideration (Appellant Pro Per)
37.	6-Jan-2017	FILED: Email Notice from ASC re: Petition for Review filed 1/5/17; request for partial record
38.	25-Jan-2017	FILED: Letter forwarding partial record to Arizona Supreme Court
39.	25-Jan-2017	ORDERED: Appellants Motion for Reconsideration (Appellant Pro Per) = DENIED. Hon Charles W Gurtler Jr - Author

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