Court of Appeals, Division One

Civil Appeal

1 CA-CV 16-0006 FRANCIS v. PURK

Appellate Case Information

Case Filed: 7-Jan-2016

Case Closed:

Dept/Composition

Department E

Hon. Kent E Cattani
Hon. Lawrence F Winthrop
Hon. Maurice Portley

Side 1. LARRY E. FRANCIS, a single man, Plaintiff/Appellant

(Litigant Group) LARRY E FRANCIS

- **Larry E Francis**

Attorneys for: Plaintiff/Appellant

Timothy J Casey, Esq. (AZ Bar No. 13492)

Side 2. DONALD W. PURK, a single man, Defendant/Appellee

(Litigant Group) DONALD W PURK

- **Donald W Purk**

Attorneys for: Defendant/Appellee

Michael E Palumbo, Esq. (AZ Bar No. 17021)

CASE STATUS

Dec 20, 2016....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2014-010016	Tort - Non-Motor Vehicle/Premises Liability		James T Blomo, Authoring Judge of Order		

2 OPEN DUE DATES

Petition for Review to ASC due **Due By:** Thursday, January 19, 2017

Re: MEMORANDUM DECISION (Vacated, Remanded) Hon Lawrence F Winthrop - Author; Hon Kent E Cattani - Concur; Hon Maurice Portley - Concur

Response to Costs due **Due By:** Wednesday, January 25, 2017

Re: FILED: Plaintiff/Appellant's Statement of Taxable Costs; Certificate of Service; Exhibits (Appellant)

PENDING MATTER

General Motion Filed: 5-Jan-2017

Plaintiff/Appellant's Statement of Taxable Costs Exhibits (Appellant)

CASE DECISION

20-Dec-2016 MEMORANDUM DECISION

Lawrence Winthrop.....Author
Kent Cattani.....Concur
Maurice Portley.....Concur

Filed: **20-Dec-2016** Mandate:

Decision Disposition
Vacated
Remanded

23 PROCEEDING ENTRIES

1.	7-Jan-2016	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 12/09/15
2.	7-Jan-2016	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	13-Jan-2016	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	26-Jan-2016	FILED: Plaintiff/Appellant's Notice of Paying Filing Fee; Certification of Service
5.	1-Feb-2016	RECEIPT No.: 2016-00115 ; $280.00, Authorization: 32010689032, Applied to: LARRY E FRANCIS - Class A Filing Fee ($280.00) Paid for: Schmitt Schneck Smyth Casey & Even PC - By Integrated Resource Systems IN
6.	2-Feb-2016	FILED: Case Management Statement; Exhibit - Defendant's Proposed Form of Judgment filed 12/8/15 (Appellant)

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

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23 PROCEEDING ENTRIES

7.	4-Feb-2016	FILED: Plaintiff/Appellant's Notice of Filing Oral Argument Transcript; Certificate of Service; Exhibit A - Reporter's Transcript - 11/13/15 Oral Argument (Transcriptionist Ann Brodsky) B (Appellant)
8.	8-Feb-2016	FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
9.	11-Feb-2016	FILED: Defendant/Appellee's Notice of Paying Filing Fee; Certification of Service
10.	12-Feb-2016	ORDERED: staying this appeal to/including 3/28/16 and revesting jurisdiction in Maricopa Superior Court to consider application by appellant for a signed judgment with a certification of finality pursuant to Rule 54 (c). FURTHER ORDERED: If superior court grants application, appellant shall file a copy of signed judgment w/in 10 days after its entry. Appeal will be automatically reinstated. FURTHER ORDERED: If appeal has not been reinstated, appellant shall file a request to continue stay, or appeal may be dismissed. FURTHER ORDERED: If a signed judgment has been filed, opening brief shall be due on 4/28/16. Barbara Vidal Vaught ProTem Judge - Author
11.	17-Feb-2016	FILED: Defendant/Appellee's Notice of No Objection to Plaintiff/Appellant's Proposed Form of Amended Judgment; Certification of Service (Appellee)
12.	18-Feb-2016	RECEIPT No.: 2016-00217 ; $140.00, Authorization: Ref1:48012947381, Applied to: DONALD W PURK - Class B Filing Fee ($140.00) Paid for: Denise L Siegenthaler and Associates - By Integrated Resource Systems IN
13.	24-Feb-2016	FILED: Plaintiff/Appellant's Notice of Filing Amended Judgment; Certification of Service; Exhibit A - Proposed Form of Amended Judgment filed 2/24/16
14.	29-Feb-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record [includes Amended Judgment filed 2/24/16 w/Rule 54(c) language)
15.	28-Apr-2016	FILED: Plaintiff-Appellant's Opening Brief; Certificate of Compliance; Certification of Service
16.	7-Jun-2016	FILED: Defendant/Appellee's Response Brief; Certificate of Compliance; Certificate of Service (Appellee)
17.	27-Jun-2016	FILED: Plaintiff-Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
18.	1-Aug-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
19.	4-Aug-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
20.	4-Nov-2016	CLNDR: CONFERENCE, Department E, 12-14-16, COURTROOM 2.
21.	20-Dec-2016	MEMORANDUM DECISION (Vacated, Remanded) Hon Lawrence F Winthrop - Author; Hon Kent E Cattani - Concur; Hon Maurice Portley - Concur
22.	20-Dec-2016	FILED: Memorandum Decision Distribution List
23.	5-Jan-2017	FILED: Plaintiff/Appellant's Statement of Taxable Costs; Certificate of Service; Exhibits (Appellant)

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