

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 16-0120 FC

EKVALL v. ESTRADA

Appellate Case Information

Case Filed: 9-Mar-2016

Case Closed:

Dept/Composition

Department A

Hon. Kenton D Jones
Hon. Randall M Howe
Hon. Samuel A Thumma

Side 1. In re the Marriage of:

DENISE K. EKVALL, Petitioner/Appellee

(Litigant Group) DENISE K EKVALL

Denise K Ekvall

PRO SE

Side 2. DAVID D. ESTRADA, Respondent/Appellant

(Litigant Group) DAVID D ESTRADA

David D Estrada

Co-Counsel for: Respondent/Appellant

Jennifer L Walston, Esq. (AZ Bar No. 32284)

Cory E Tyszka, Esq. (AZ Bar No. 32412)

Side 3. STEPHANIE STROMFORS, as Best Interest Attorney for Child, Appellee

(Litigant Group) STEPHANIE STROMFORS, Best Interest Attorney

Best Interest Attorney/Appellee

Stephanie A Stromfors, Esq. (AZ Bar No. 20295)

CASE STATUS

Dec 13, 2016....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Includes rows for MAR FC2001-009197 and MAR FC2001-093082.

DESCENDENT CASE(S)

ASC CV-17-0011-PR

OPEN DUE DATE

Petition for Review to ASC due

Due By: Monday, February 13, 2017

Re: MEMORANDUM DECISION (Affirmed in Part, Vacated in Part) Hon Kenton D Jones - Author; Hon Randall M Howe - Concur; Hon Samuel A Thumma - Concur

[1 extension]

CASE DECISION

13-Dec-2016 MEMORANDUM DECISION

Kenton Jones.....Author

Randall Howe.....Concur

Samuel Thumma.....Concur

Filed: 13-Dec-2016

Mandate:

Decision Disposition

Affirmed in Part
Vacated in Part

43 PROCEEDING ENTRIES

1. 9-Mar-2016 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/09/16

Court of Appeals, Division One

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EKVALL v. ESTRADA

43 PROCEEDING ENTRIES

2. 9-Mar-2016 FILED: e-Record on Appeal (FC2001-093082):
Instruments/Minute Entries
EXHIBIT(S): HD 11/13/2006 - LIST # 4 5 6 38 39 42 43 44 45 46 54 55 56 IN
MANILA ENVELOPE
HD 01/23/2007 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 IN MANILA ENVELOPE
HD 07/25/2008 - LIST # 1 3 5 7 IN MANILA ENVELOPE
HD 07/01/2009 - LIST # 1 2 IN MANILA ENVELOPE
HD 09/12/2013 - LIST # 1 8 IN MANILA ENVELOPE
HD 09/04/2014 - LIST # 2 7 9 11 16 17 18 19 IN MANILA ENVELOPE
HD 03/12/2015 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 IN
MANILA ENVELOPE
HD 08/31/2015 - LIST # 4 6 8 9 14 24 29(SEALED) 30 35 45 48 50 56
60(SEALED) 67 71 75 82 85 87 IN MANILA ENVELOPE
3. 9-Mar-2016 FILED: e-Record on Appeal (FC2001-009197):
Instruments/Minute Entries
4. 15-Mar-2016 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
5. 15-Mar-2016 FILED: Reporter's Transcript - 10/31/14 - Return Hearing (Kimberly McCright) (Appellant)
6. 15-Mar-2016 FILED: Reporter's Transcript - 8/31/15 - Trial/Evidentiary Hearing (Kimberly McCright) (Appellant)
7. 15-Mar-2016 FILED: Reporter's Transcript - 11/4/15 - Continued Trial/Evidentiary Hearing (William Garling) (Appellant)
8. 15-Mar-2016 FILED: Reporter's Transcript - 9/4/14 - Return Hearing (Kimberly McCright) (Appellant)
9. 15-Mar-2016 FILED: Notice of Service of Certified Transcript of Proceedings; Certificate of Service Re: Notice of Service of Certified Transcript of Proceedings (Appellant)
10. 15-Mar-2016 FILED: Notice of Payment of Filing Fee; Certificate of Service Re: Notice of Payment of Filing Fee (Appellant)
11. 15-Mar-2016 FILED: Reporter's Transcript - 3/12/15 (Lori Reinhardt)
12. 15-Mar-2016 FILED: Reporter's Transcript - 3/17/15 (Lori Reinhardt)
13. 17-Mar-2016 RECEIPT No.: 2016-00346 ; \$280.00, Authorization: 76019200310, Applied to: DAVID D ESTRADA - Class A Filing Fee (\$280.00) Paid for: Walston Law Group - By Integrated Resource Systems IN
14. 17-Mar-2016 FILED: Notice of Service of Certified Transcript of Proceedings; Certificate of Service Re: Notice of Service of Certified Transcript of Proceedings (Appellant)
15. 25-Mar-2016 FILED: Appellee's Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
16. 30-Mar-2016 FILED: Motion to Supplement the Record on Appeal; Certificate of Service; BIAs Position Statement; BIA's Closing Argument (Appellant)
17. 1-Apr-2016 FILED: Amended Appellee's Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
18. 4-Apr-2016 FILED: Case Management Statement (Appellant)
19. 7-Apr-2016 FILED: Notice of Change of Firm Address; Certificate of Service (Appellant)
20. 2-May-2016 ORDERED: within 10 days from date of this order, appellant shall file documentation w/ this court showing BIA's Position Statement and BIA's Closing Argument were filed or lodged w/ superior court before notice of appeal was filed. If appellant provides sufficient documentation, this court will grant motion to supplement. If appellant cannot provide such documentation, this court will deny motion to supplement. Hon Diane M Johnsen - Author
21. 13-May-2016 FILED: Documentation in Support of Appellant's Motion to Supplement; Certificate of Service (Appellant)
22. 13-May-2016 FILED: Amended Documentation in Support of Appellant's Motion to Supplement; Certificate of Service (Appellant)
23. 16-May-2016 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)

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24. 18-May-2016 ORDERED: Motion to Supplement the Record on Appeal (Appellant) = GRANTED in part, supplementing record with BIA's Position Statement and BIA's Closing Argument filed in this court on 3/30/16. FURTHER ORDERED: denying appellant's request to order clerk of superior court to supplement record with certified copies of aforementioned documents. Hon Diane M Johnsen - Author
25. 19-Jul-2016 FILED: Motion for Summary Reversal or In the Alternative Request for Oral Argument; Certificate of Service (Appellant)
26. 21-Jul-2016 ORDERED: Motion for Summary Reversal or In the Alternative Request for Oral Argument (Appellant) = DENIED. FURTHER ORDERED: answering brief due 08/01/2016. In event answering brief is not timely filed, this appeal will be submitted for decision on record and opening brief. FURTHER ORDERED: deferring a ruling on request for oral argument until after this appeal is at issue. Melina Brill ProTem Judge - Author
27. 25-Jul-2016 FILED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Incomplete) (Appellee Pro Per Ekvall)
28. 29-Jul-2016 FILED: Letter, 7/29/16, from Court to Appellee Ekvall, Application for Deferral/Waiver to be completed and filed within 10 days; no filings to be accepted until document is completed or \$140 is paid
29. 1-Aug-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Proof of service (Appellee Ekvall)
30. 5-Aug-2016 FILED: Proof of Governmental Assistance (Appellee Ekvall)
31. 10-Aug-2016 FILED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Appellee Pro Per)
32. 10-Aug-2016 ORDERED: Application for Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment (Appellee Pro Per) = WAIVER GRANTED/Any or all filing fees. Ruth Willingham - Author
33. 15-Aug-2016 FILED: Motion to Withdraw Request for Oral Argument; Certificate of Service (Appellant)
34. 15-Aug-2016 FILED: Qualified Motion for Accelerated Appeal; Certificate of Service (Appellant)
35. 15-Aug-2016 FILED: Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
36. 1-Sep-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
37. 8-Sep-2016 ORDERED: Qualified Motion for Accelerated Appeal; Certificate of Service (Appellant) = DENIED. FURTHER ORDERED: directing the clerk of this court to schedule this appeal for consideration, without oral argument, on first available date on court's regular calendar. Hon Michael J Brown - Author
38. 12-Sep-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
39. 26-Sep-2016 CLNDR: CONFERENCE, Department A, 11-15-16, COURTROOM 2.
40. 29-Sep-2016 FILED: Memorandum: Judge Thumma for Judge Kessler (Chief Judge Brown)
41. 13-Dec-2016 MEMORANDUM DECISION (Affirmed in Part, Vacated in Part) Hon Kenton D Jones - Author; Hon Randall M Howe - Concur; Hon Samuel A Thumma - Concur
42. 13-Dec-2016 FILED: Memorandum Decision Distribution List
43. 9-Jan-2017 FILED: ASC Order filed 01/09/2017 re: extending time for filing Petition for Review to 02/13/2017