Court of Appeals, Division One

Juvenile

1 CA-JV 15-0419 — ANGEL B., OSANNA B. v. DCS, et al.

Appellate Case Information

Case Filed:	28-Dec-2015	
Case Closed:	16-Nov-2016	
Reinstated x 1:	22-Nov-2016	Decision
Re-Closed:		

Dept/Composition

Department D (August)

Hon. Andrew W. Gould
Hon. Kenton D Jones
Hon. Michael J Brown

Side 1. ANGEL B., OSANNA B., Appellant

(Litigant Group) ANGEL B.

- **Angel B.**

Attorney for: Appellant Angel B
S Marie Gates, Esq. (AZ Bar No. 19525)

(Litigant Group) OSANNA B.

- **Osanna B.**

Attorneys for: Appellant Mother
Steven Czop, Esq. (AZ Bar No. 20420)

Side 2. DEPARTMENT OF CHILD SAFETY, A.B.,R.B., Appellee

(Litigant Group) DCS

- **Department of Child Safety**

Attorneys for: Appellee
Dawn Rachelle Williams, Esq. (AZ Bar No. 20730)

(Litigant Group) A.B., R.B.

- **A. B.**
- **R. B.**

Guardian Ad Litem for Children
John L Popilek, Esq. (AZ Bar No. 6947)
Stephanie A Stromfors, Esq. (AZ Bar No. 20295)

CASE STATUS

Oct 3, 2016.....Pending in ASC

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	JD509273	Termination of Parental Rights		David King Udall, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-16-0227-PR

CASE DECISION

25-Aug-2016 MEMORANDUM DECISION

Vacated
Vacated Per Order 11/22/16

Filed: **25-Aug-2016** Mandate: **16-Nov-2016**

Decision Disposition
Affirmed

Andrew Gould.....Author
Michael Brown.....Concur
Kenton Jones.....Concur

66 PROCEEDING ENTRIES

1.	28-Dec-2015	FILED: Notice of Appeal from Maricopa County Superior Court filed 12/22/15 (Father)
2.	28-Dec-2015	FILED: Notification of Notice of Appeal Filed (Father)
3.	28-Dec-2015	FILED: Minute Entry dated 12/18/2015, re: Under Advisement Ruling
4.	29-Dec-2015	FILED: Notice of Appeal from Maricopa County Superior Court filed 12/23/15 (Mother)
5.	29-Dec-2015	FILED: Notification of Notice of Appeal Filed (Mother)
6.	4-Jan-2016	FILED: Additional Instrument dated 12/30/2015, re: Notice of Appointment (Father)

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

66 PROCEEDING ENTRIES

7.	4-Jan-2016	FILED: Additional Instrument dated 12/30/2015, re: Notice of Appointment (Mother)
8.	8-Jan-2016	FILED: E-Record on Appeal: Instruments/Minute Entries: Combined Exhibits: None
9.	8-Jan-2016	FILED: DCS's Notice of Change of Counsel; Certificate of Service for DCS's Notice of Change of Counsel (Appellee)
10.	8-Jan-2016	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 10/06/2015 - LIST # 1,2,3,4,5,6,7,10,12,13,15,16,18,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,39,40,41,42,43,44,45,46,47,48,49,50,51,52,5 In Box 1 of 3 63,64,65,66,67,68,69,70,71,72,73,74,75,76,77,78,79,80,81,82,83,84,85,86,87,88,89,90,91,92,93,94,95,96,97,98,99,100,101,102,1 In Box 2 of 3 130,131,132,133,134,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,151,152,153,154,155,156,157,158,15 In Box 3 of 3
11.	18-Jan-2016	FILED: Motion for Extension of Time to File Transcrpts (Yvonne M. DE La Torre)
12.	19-Jan-2016	ORDERED: Motion for Extension of Time to File Transcrpts (Yvonne M. DE La Torre) = GRANTED. Due Dates EXTENDED to 02/10/2016 for Transcripts of proceedings held on 11/09/2015, 10/21/2015, 10/13/2015, 10/14/2015, 10/07/2015, 10/06/2015. Fred Cole ProTem Judge - Author
13.	27-Jan-2016	ORDERED: Court Reporter Jeanne Kappedal due dates EXTENDED to 02/08/2016 for Transcripts of proceedings held on 11/12/2015, 11/10/2015, 10/20/2015. Fred Cole ProTem Judge - Author
14.	7-Feb-2016	FILED: Motion for Extension of time to file transctips (Yvonne M. De La Torre)
15.	8-Feb-2016	ORDERED: Motion for Extension of time to file transctips (Yvonne M. De La Torre) = GRANTED. Due Dates EXTENDED to 02/29/2016 for Transcripts of proceedings held on 11/09/2015, 10/21/2015, 10/14/2015, 10/13/2015, 10/07/2015, 10/06/2015. Fred Cole ProTem Judge - Author
16.	10-Feb-2016	FILED: Reporter's Extension-10/20/2015-Severance-(Jeanne Kappedal)
17.	11-Feb-2016	ORDERED: Court Reporter Jeanne Kappedal's Transcript Extension Request = GRANTED. Due Dates EXTENDED to 02/29/2016 for Transcripts of proceedings held on 11/12/2015, 11/02/2015 (SIC), 10/20/2015. Fred Cole ProTem Judge - Author
18.	16-Feb-2016	AMENDED ORDER: Court Reporter Jeanne Kappedal's Transcript Extension Request = GRANTED. Due Dates EXTENDED to 02/29/2016 for Transcripts of proceedings held on 11/12/2015, 11/10/2015 , 10/20/2015. Fred Cole ProTem Judge - Author
19.	28-Feb-2016	FILED: Motion for Extension of Time to File Transcripts (yvonne M. De La Torre)
20.	29-Feb-2016	ORDERED: Motion for Extension of Time to File Transcripts (yvonne M. De La Torre) = GRANTED. Due Dates EXTENDED to 03/21/2016 for Transcripts of proceedings held on 11/09/2015, 10/21/2015, 10/14/2015, 10/13/2015, 10/07/2015, 10/06/2015. Fred Cole ProTem Judge - Author
21.	5-Mar-2016	FILED: Reporter's Transcript 10/07/15 bench trial (Yvonne M. De La Torre)
22.	7-Mar-2016	ORDERED: Court Reporter Jeanne Kappedal due dates EXTENDED to 03/17/2016 for Transcripts of proceedings held on 11/12/2015, 11/10/2015, 10/20/2015 or OSC 04/06/2016. Fred Cole ProTem Judge - Author
23.	10-Mar-2016	FILED: Reporter's Transcript Bench Trial 10/13/15 (Yvonne M. De La Torre)
24.	13-Mar-2016	FILED: Reporter's Transcript - 10/14/15 - Bench Trial (Yvonne M. De La Torre)
25.	16-Mar-2016	FILED: Reporter's Transcript 10/21/15 Bench Trial (Yvonne M. De L Atorre)
26.	18-Mar-2016	FILED: Reporter's Transcript - 11-10-2015 - Severance (Jeanne Kappedal)
27.	19-Mar-2016	FILED: Reporter's Transcript - 10-20-2015 - Severance (Jeanne Kappedal)

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66 PROCEEDING ENTRIES

28.	21-Mar-2016	FILED: Reporter's Transcript 10/06/15 Bench Trial (Yvonne M. De La Torre)
29.	21-Mar-2016	FILED: Reporter's Transcript-11-12-2015-Severance-(Jeanne Kappedal)
30.	24-Mar-2016	FILED: Reporter's Transcript -11/9/15 Bench Trial (Yvonne M De La Torre)
31.	24-Mar-2016	FILED: Notice of Completion of Record
32.	12-Apr-2016	FILED: Request for Additional Time to File Opening Brief; Certificate of Service (Appellant)
33.	13-Apr-2016	ORDERED: Request for Additional Time to File Opening Brief(Appellant Osanna B.) = GRANTED. Due date EXTENDED from Wednesday, 04-13-2016 to Tuesday, 05-03-2016. Fred Cole ProTem Judge - Author
34.	13-Apr-2016	FILED: Appellant Father's Motion to Extend Deadline For Filing Opening Brief; Certificate of Service for Appellant Father's Motion to Extend Deadline for Filing Opening Brief (Appellant)
35.	14-Apr-2016	ORDERED: Appellant Father's Motion to Extend Deadline For Filing Opening Brief = GRANTED. Due date EXTENDED from Wednesday, 04-13-2016 to Tuesday, 05-03-2016. Fred Cole ProTem Judge - Author
36.	1-May-2016	FILED: Request for Additional Time to File Opening Brief; Certificate of Service (Appellant Osanna B.)
37.	2-May-2016	ORDERED: Request for Additional Time to File Opening Brief(Appellant Osanna B.) = GRANTED. Due date EXTENDED from Tuesday, 05-03-2016 to Monday, 05-23-2016. Fred Cole ProTem Judge - Author
38.	3-May-2016	FILED: Appellant Angel B.'s Additional Motion to Extend Deadline for Filing Opening Brief; Certificate of Service for Appellant Angel B.'s Additional Motion to Extend Deadline for Filing Opening Brief; Order Appointing New Appellate Counsel for Father; Notice of Appointment (Appellant)
39.	3-May-2016	FILED: Additional Instrument dated 04/29/2016, re: Notice of Appointment (Father)
40.	9-May-2016	ORDERED: Appellant Angel B.'s Additional Motion to Extend Deadline for Filing Opening Brief = GRANTED. Due date EXTENDED from Tuesday, 05-03-2016 to Monday, 05-23-2016. Fred Cole ProTem Judge - Author
41.	13-May-2016	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)
42.	18-May-2016	FILED: Appellant Mother's Request to Exceed Word and Page Limit in Opening Brief; Certificate of Service (Appellant)
43.	19-May-2016	ORDERED: Appellant Mother's Request to Exceed Word and Page Limit in Opening Brief = GRANTED. Permitting appellant Osanna B. to file an opening brief with a word count not to exceed 9,000 words. Barbara Vidal Vaught ProTem Judge - Author
44.	23-May-2016	FILED: Appellant Mother's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
45.	23-May-2016	FILED: Motion to Extend Time to File Opening Brief; Certificate of Service (Appellant)
46.	6-Jun-2016	ORDERED: Appellant Angel B.'s Motion to Extend Time to File Opening Brief = GRANTED. Due date EXTENDED from Monday, 05-23-2016 to Friday, 06-08-2016 or OSC on 06/15/16. Fred Cole ProTem Judge - Author
47.	6-Jun-2016	FILED: DCS's Notice of Change of Counsel and Motion for Leave to File Consolidated Answering Brief; DCS's Certificate of Service for Notice of Change of Counsel and Motion for Leave to File Consolidated Answering Brief (Appellee)
48.	7-Jun-2016	ORDERED: DCS's Motion for Leave to File Consolidated Answering Brief = GRANTED. The consolidated brief shall be filed on/before 06/28/2016. Fred Cole ProTem Judge - Author
49.	8-Jun-2016	FILED: Appellant Father's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
50.	28-Jun-2016	FILED: Guardian Ad Litem's Motion for Ten Day Extension of Time in Which to Submit Answering Brief; Certificate of Service (Appellee)
51.	28-Jun-2016	FILED: Appellee Department of Child Safety's Answering Brief; Appellee Department of Child Safety's Certificate of Compliance; Appellee Department of Child Safety's Certificate of Service for Answering Brief (Appellee)

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66 PROCEEDING ENTRIES

52.	29-Jun-2016	ORDERED: Appellee Guardian Ad Litem's Motion for Ten Day Extension of Time in Which to Submit Answering Brief = GRANTED. Due date EXTENDED from Tuesday, 06-28-2016 to Friday, 07-08-2016. Fred Cole ProTem Judge - Author
53.	5-Jul-2016	CLNDR: CONFERENCE, Department D (August), 8-23-16, COURTROOM 2.
54.	8-Jul-2016	FILED: Guardian Ad Litem's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
55.	18-Jul-2016	FILED: Appellant Father's Motion For An Extension Of Time To File A Reply; Certificate of Service (Appellant)
56.	20-Jul-2016	ORDERED: Appellant Father's Motion For An Extension Of Time To File A Reply (Appellant) = GRANTED. Due date EXTENDED to Monday, 08-01-2016. Hon Andrew W Gould - Author
57.	1-Aug-2016	FILED: Appellant Father's Reply Brief; Certificate of Compliance; certificate of service (Appellant)
58.	25-Aug-2016	MEMORANDUM DECISION (Affirmed) Hon Andrew W Gould - Author; Hon Michael J Brown - Concur; Hon Kenton D Jones Judge - Concur
59.	25-Aug-2016	FILED: Memorandum Decision Distribution List
60.	15-Sep-2016	FILED: ASC Order filed 9/15/16 re: extending time to file petition for review to 10/24/16; Granting S. Marie Gates to withdraw as Attorney for Appellant Angel B.
61.	3-Oct-2016	FILED: Email Notice from ASC re: Petition for Review filed 9/23/16; request for partial record
62.	4-Oct-2016	FILED: Letter forwarding partial record to Arizona Supreme Court
63.	25-Oct-2016	FILED: Letter from ASC, 10/25/16, re: Appellant Mother's Opening Brief (Treated as Petition for Review) DENIED on 10/25/16
64.	16-Nov-2016	FILED: Mandate, Record returned to superior court.
65.	22-Nov-2016	ORDERED: vacating the Order and Mandate filed 11/16/16. Hon Michael J Brown - Author
66.	7-Feb-2017	FILED: Letter from ASC, 02/07/2017, re: Appellant Father's Opening Brief (Treated as Petition for Review) DENIED on 02/07/201

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