

Court of Appeals, Division One

Juvenile

1 CA-JV 16-0119

JHAMIKA B. v. DCS, et al.

Appellate Case Information

Case Filed: 28-Mar-2016
Case Closed:

Dept/Composition

Department B
Hon. Samuel A Thumma
Hon. Margaret H Downie
Hon. Jennifer B Campbell

Consolidated with: 1 CA-JV 16-0324

Side 1. JHAMIKA B., Appellant

(Litigant Group) JHAMIKA B.

- Jhamika B.

Attorneys for: Appellant

David C Lieb, Esq. (AZ Bar No. 24096)

Side 2. DEPARTMENT OF CHILD SAFETY, et al., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee

Amanda L Adams, Esq. (AZ Bar No. 22505)

(Litigant Group) E.B.

- E. B.

Guardian Ad Litem for Child

Timothy V Nelson, Esq. (AZ Bar No. 19922)

CASE STATUS

Jan 17, 2017....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, JD509686, Termination of Parental Rights, Janice K Crawford, Authoring Judge of Order.

OPEN DUE DATE

Petition for Review to ASC due Due By: Thursday, February 16, 2017

Re: MEMORANDUM DECISION (Affirmed as Modified) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Jennifer B Campbell - Concur

CASE DECISION

17-Jan-2017 MEMORANDUM DECISION

Samuel Thumma.....Author
Margaret Downie.....Concur
Jennifer Campbell.....Concur

Filed: 17-Jan-2017 Mandate:

Table with 1 column: Decision Disposition. Row 1: Affirmed as Modified

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-JV 16-0324 JHAMIKA B. v. DCS, et al.

41 PROCEEDING ENTRIES

- 1. 28-Mar-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 03/23/16 (Mother)
2. 28-Mar-2016 FILED: Notification of Notice of Appeal Filed (Mother)
3. 28-Mar-2016 FILED: Minute Entry dated 03/10/2016, re: Ruling and Order as to Child E.B.
4. 30-Mar-2016 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)
5. 30-Mar-2016 FILED: Appellant's Notice of Change of Counsel; Appellant's Notice of Change of Counsel Certificate of Service (Appellant)
6. 11-Apr-2016 FILED: E-Record on Appeal: Instrument/Minute Entries: Combined Exhibits: None

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41 PROCEEDING ENTRIES

7. 15-Apr-2016 FILED: Reporter's Transcript-1/27/16-Bench Trial-(Lori Reinhardt)
8. 21-Apr-2016 FILED: Motion for Extension of Time to File Transcript(Yvonne M. De La Torre)
9. 21-Apr-2016 FILED: Motion for Extension of Time - 01/19/2016 and 01/20/2016 - Contested Severance Hearing (Patricia Kotarba)
10. 22-Apr-2016 ORDERED: Motion for Extension of Time - 01/19/2016 and 01/20/2016 - Contested Severance Hearing (Patricia Kotarba) = GRANTED. Due dates EXTENDED to 05/12/2016 for Transcripts of proceedings held on 01/20/2016, 01/19/2016. Fred Cole ProTem Judge - Author
11. 22-Apr-2016 ORDERED: Motion for Extension of Time to File Transcript (Yvonne M. De La Torre) = GRANTED. Due date EXTENDED from Friday, 04-22-2016 to Thursday, 05-12-2016 for transcript of proceedings held on 08/20/2015. Fred Cole ProTem Judge - Author
12. 26-Apr-2016 ORDERED: Court reporter Jeanne Kappedal due dates EXTENDED to 05/06/2016 for Transcripts of proceedings held on 09/10/2015, 08/13/2015. Fred Cole ProTem Judge - Author
13. 26-Apr-2016 ORDERED: Court reporter Kristi Week = GRANTED. Due date EXTENDED from Friday, 04-22-2016 to Friday, 05-06-2016 for transcript of proceedings held on 08/14/2016 (SIC) . Fred Cole ProTem Judge - Author
14. 26-Apr-2016 FILED: Reporter's Transcripts - 08/14/2015 - Severance Trial (Kristi Week)
15. 26-Apr-2016 FILED: Appeal Extension -08-13-15-Severance-(Jeanne Kappedal)
16. 29-Apr-2016 ORDERED: Appeal Extension for Severance Transcript -(Jeanne Kappedal) = GRANTED. Due dates EXTENDED to 05/19/2016 for transcripts of proceedings held on 09/10/2015, 08/13/2015. Fred Cole ProTem Judge - Author
17. 11-May-2016 FILED: Reporter's Transcript 08/20/15 Bench Trial (Yvonne M. De La Torre)
18. 15-May-2016 FILED: Reporter's Transcript - 01/19/2016 - Contested Severance Hearing (Patricia Kotarba)
19. 22-May-2016 FILED: Reporter's Transcript - 01/20/2016 - Contested Severance Hearing (Patricia Kotarba)
20. 27-May-2016 ORDERED: Court reporter Jeanne Kappedal due dates EXTENDED to 06/06/2016 for transcripts of proceedings held on 09/10/2015, 08/13/2015. Barbara Vidal Vaught ProTem Judge - Author
21. 13-Jun-2016 ORDERED: Court reporter Jeanne Kappedal due dates EXTENDED to 06/23/2016 for transcripts of proceedings held on 09/10/2015, 08/13/2015 or OSC on 07/06/2016. Fred Cole ProTem Judge - Author
22. 3-Jul-2016 FILED: Reporter's Transcript - 08/13/15 - Contested Severance (Jeanne Kappedal)
23. 4-Jul-2016 FILED: Reporter's Transcript - 09/10/2015 - Contested Severance (Jeanne Kappedal)
24. 13-Jul-2016 FILED: Notice of Completion of Record
25. 1-Aug-2016 FILED: Appellant's Opening Brief; Certificate of Compliance for Appellant's Opening Brief; Certificate of Service for Appellant's Opening Brief (Appellant)
26. 16-Aug-2016 FILED: DCS's Motion to Supplement the Record on Appeal and Request for Expedited Ruling; DCS's Certificate of Service for Motion to Supplement the Record on Appeal and Request for Expedited Ruling (Appellee)
27. 18-Aug-2016 ORDERED: Granting the motion to supplement the record by including the exhibits the juvenile court admitted in evidence during the severance proceedings. FURTHER ORDERED clerk of Maricopa County Superior Court supplement the record by forwarding a certified copy of the exhibits no later than 09/07/2016. FURTHER ORDERED extending the time for filing the opening brief (SIC) to/including 09/27/2016. Fred Cole ProTem Judge - Author
28. 23-Aug-2016 AMENDED ORDER: Granting the motion to supplement the record by including the exhibits the juvenile court admitted in evidence during the severance proceedings. FURTHER ORDERED clerk of Maricopa County Superior Court supplement the record by forwarding a certified copy of the exhibits no later than 09/07/2016. FURTHER ORDERED extending the time for filing the answering brief to/including 09/26/2016. Fred Cole ProTem Judge - Author

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41 PROCEEDING ENTRIES

29. 24-Aug-2016 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 08/13/2015 - LIST #3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 30 In Manila Envelope
30. 8-Sep-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
31. 26-Sep-2016 FILED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief and Expedited Ruling; DCS's Certificate of Service for Motion for Procedural Order for Extension of Time to File Answering Brief and Expedited Ruling (Appellee)
32. 27-Sep-2016 ORDERED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief and Expedited Ruling = GRANTED. Due date EXTENDED from Monday, 09-26-2016 to Monday, 10-17-2016. Fred Cole ProTem Judge - Author
33. 17-Oct-2016 FILED: Appelle Department of Child Safety's Answering Brief; Appellee Department of Child Safety's Certificate of Compliance for Answering Brief; Appellee Department of Child Safety's Certificate of Service for Answering Brief (Appellee)
34. 21-Oct-2016 FILED: Appellant's Motion to Consolidate; Certificate of Service for Appellant's Motion to Consolidate (Appellant)
35. 28-Oct-2016 CLNDR: CONFERENCE, Department B, 12-13-16, COURTROOM 1.
36. 2-Nov-2016 FILED: Memorandum, 11/2/16, Judge Campbell for Judge Norris (Judge Norris)
37. 7-Nov-2016 FILED: Appellant's Reply Brief; Appellant's Certificate of Compliance - Reply Brief; Appellant's Certificate of Service - Reply Brief (Appellant)
38. 17-Nov-2016 ORDERED: consolidating cases 1 CA-JV 16-0119 and 1 CA-JV 16-0324, with case 1 CA-JV 16-0119 designated as the primary number. FURTHER ORDERED: vacating the briefing schedule previously ordered in case 1 CA-JV 16-0324. FURTHER ORDERED: the parties have up to and including 12/6/16 in which to file simultaneous briefs, not to exceed 10 pages, addressing the appeal in case 1 CA-JV 16-0324. FURTHER ORDERED: the consolidated appeal will be deemed submitted for decision by this court on 12/13/16. FURTHER ORDERED: directing the Clerk of the Court to amend the captions to reflect the consolidation of these cases and the parties are reminded to use the consolidated caption for all future filings. Hon Samuel A Thumma - Author
39. 6-Dec-2016 FILED: The Department of Child Safety's Supplemental Brief; Certificate of Compliance for DCS's Supplemental Brief; Certificate of Service for DCS's Supplemental Brief (Appellee)
40. 17-Jan-2017 MEMORANDUM DECISION (Affirmed as Modified) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Jennifer B Campbell - Concur
41. 17-Jan-2017 FILED: Memorandum Decision Distribution List