

**Court of Appeals, Division One**

**Juvenile**

**1 CA-JV 16-0176**

**CASSANDRA W., MICHAEL S. v. DCS, et al.**

**Appellate Case Information**

Case Filed: 6-May-2016  
Case Closed:

**Dept/Composition**

**Department A**  
Hon. Kenton D Jones  
Hon. Samuel A Thumma  
Hon. Michael J Brown

**Side 1. CASSANDRA W., MICHAEL S., Appellant**  
(Litigant Group) CASSANDRA W.

- Cassandra W.

**Attorneys for: Appellant Mother**

John L Popilek, Esq. (AZ Bar No. 6947)

(Litigant Group) MICHAEL S.

- Michael S.

**Attorneys for: Appellant Father**

David W Bell, Esq. (AZ Bar No. 13756)

**Side 2. DEPARTMENT OF CHILD SAFETY, E.S., M.S., Appellee**  
(Litigant Group) DCS

- Department of Child Safety

**Attorneys for: Appellee**

Cathleen E Fuller, Esq. (AZ Bar No. 23646)

(Litigant Group) E.S., M.S.

- E. S.
- M. S.

**Guardian Ad Litem for Children**

S Marie Gates, Esq. (AZ Bar No. 19525)

**CASE STATUS**

Dec 27, 2016....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JD23976	Termination of Parental Rights		Joseph C Welty, Authoring Judge of Order		

**OPEN DUE DATE**

**Petition for Review to ASC due** **Due By:** Thursday, January 26, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Michael J Brown - Author; Hon Kenton D Jones - Concur; Hon Samuel A Thumma - Concur

**CASE DECISION**

**27-Dec-2016 MEMORANDUM DECISION**

Michael Brown.....Author  
Kenton Jones.....Concur  
Samuel Thumma.....Concur

Filed: <b>27-Dec-2016</b>	Mandate:
Decision Disposition	
<b>Affirmed</b>	

**27 PROCEEDING ENTRIES**

- 6-May-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 05/04/16 (Mother)
- 6-May-2016 FILED: Notification of Notice of Appeal Filed (Mother)
- 6-May-2016 FILED: Minute Entry dated 04/29/2016, re: Order Terminating Parental Rights of Mother as to Children
- 11-May-2016 FILED: DCS Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)
- 17-May-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 05/13/16 (Father)
- 17-May-2016 FILED: Notification of Notice of Appeal Filed (Father)

**Court of Appeals, Division One**

**Juvenile**

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**27 PROCEEDING ENTRIES**

7. 23-May-2016 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 01/25/2016 - LIST # 1,2,3,4,5,6,7,8,9,10 In Box
8. 23-May-2016 FILED: E- Record on Appeal:  
Instrument/Minute Entries: Combined  
Exhibits: None
9. 27-May-2016 FILED: Reporter Transcript-1/25/16-Contested Severance Hearing (Nicholas Francis)
10. 27-May-2016 FILED: Reporter Transcript-2/1/16-Continued Severance Hearing (Nicholas Francis)
11. 27-May-2016 FILED: Reporter Transcript-2/3/16-Continued Contested Severance Hearing (Nicholas Francis)
12. 13-Jun-2016 FILED: Notice of Completion of Record
13. 5-Jul-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant, Cassandra W.)
14. 5-Jul-2016 FILED: Request for additional time to file Opening Brief; Certificate of Service (Appellant)
15. 7-Jul-2016 ORDERED: Request for additional time to file Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 07-05-2016 to Monday, 07-25-2016 (Father). Fred Cole ProTem Judge - Author
16. 25-Jul-2016 FILED: Opening Brief of Appellant, Michael S.; Certificate of Compliance; Certificate of Service (Appellant)
17. 26-Jul-2016 FILED: DCS's Motion for Procedural Order for Leave to File Consolidated Answering Brief and Extension of Time; DCS's Certificate of Service for Motion for Procedural Order for Leave to File Consolidated Answering Brief and Extension of Time (Appellee)
18. 28-Jul-2016 ORDERED: DCS's Motion for Procedural Order for Leave to File Consolidated Answering Brief and Extension of Time = GRANTED. The consolidated answering brief shall be filed on/before 08/22/2016. Fred Cole ProTem Judge - Author
19. 24-Aug-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 (Appellee)
20. 24-Aug-2016 FILED: DCS's Motion for Leave to File Answering Brief Two Days Late; DCS Certificate of Service for Motion for Procedural Order for Leave to File Answering Brief Two Days Late (Appellee)
21. 25-Aug-2016 ORDERED: DCS's Motion for Leave to File Answering Brief Two Days Late = GRANTED. Accepting the brief as filed. Barbara Vidal Vaught ProTem Judge - Author
22. 30-Aug-2016 FILED: Memorandum, 8/30/16, assigning case to Dept A for consideration and disposition
23. 1-Sep-2016 FILED: Memorandum: Judge Thumma for Judge Howe; Judge Brown for Judge Kessler (Chief Judge Brown)
24. 12-Sep-2016 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 01/25/2016 - LIST # 11, 12 In Manila Envelope
25. 13-Sep-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant, Cassandra W.)
26. 27-Dec-2016 MEMORANDUM DECISION (Affirmed) Hon Michael J Brown - Author; Hon Kenton D Jones - Concur; Hon Samuel A Thumma - Concur
27. 28-Dec-2016 FILED: Memorandum Decision Distribution List