

**Court of Appeals, Division One**  
**Civil Appeal**

**1 CA-CV 15-0404**

**ZUBIA v. SHAPIRO et al.**

<p><b>Appellate Case Information</b></p> <p>Case Filed: 18-Jun-2015</p> <p>Case Closed:</p>	<p><b>Dept/Composition</b></p> <p><b>Department A</b></p> <p>Hon. Kenton D Jones Hon. Randall M Howe Hon. Donn Kessler</p>
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**Side 1. MARIA CARMEN ZUBIA, individually, and in her capacity as the Trustee on behalf of THE MARIA C. PENA REVOCABLE LIVING TRUST, Plaintiff/Appellant**

**(Litigant Group) MARIA CARMEN ZUBIA**

- Maria Carmen Zubia
- The Maria C Pena Revocable Living Trust

**Attorneys for: Plaintiff/Appellant**  
Kyle A Kinney, Esq. (AZ Bar No. 027189)

**Side 2. DAVID SHAPIRO, individually, and as Trustee of THE SHAPIRO TRUST DATED FEBRUARY 14, 2006; ILANA SHAPIRO aka ILLANA SHAPIRO, individually, and as Trustee of THE SHAPIRO TRUST DATED FEBRUARY 14, 2006, Defendant/Appellee**

**(Litigant Group) DAVID SHAPIRO et al.**

- David Shapiro
- Ilana Shapiro
- The Shapiro Trust Dated February 14, 2006

**Attorneys for: Defendants/Appellees**  
Patrick J Davis, Esq. (AZ Bar No. 13808)  
Nathaniel B Rose, Esq. (AZ Bar No. 14628)

**CASE STATUS**

Nov 2, 2016.....Pending in ASC

<b>PREDECESSOR CASE (S)</b>	<b>Cause/Charge/Class</b>	<b>Judgment/Sentence</b>	<b>Judge, Role &lt;Comments&gt;</b>	<b>Trial</b>	<b>Dispo</b>
MAR CV2015-002563	Quiet Title - Special Action; Wrongful Foreclosure; False Recorded Document		Robert H Oberbillig, Authoring Judge of Order		

**DESCENDENT CASE (S)**

ASC CV-16-0255-PR

**CASE DECISION**

29-Sep-2016 **MEMORANDUM DECISION**

Randall Howe.....Author  
Kenton Jones.....Concur  
Donn Kessler.....Concur

Filed: **29-Sep-2016** Mandate:

Decision Disposition
<b>Affirmed</b>

**33 PROCEEDING ENTRIES**

1. 18-Jun-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/20/15
2. 18-Jun-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 24-Jun-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 8-Jul-2015 FILED: Courtesy copy of our own letter re: filing fees, etc., submitted with Appellant's filing fee
5. 13-Jul-2015 FILED: Appellant's Emergency Application for Injunction Pending Appeal ARCAP 7(c); Certificate of Service (Appellant)
6. 14-Jul-2015 RECEIPT No.: 2015-00964 ; \$280.00, Authorization: #94023081097, Applied to: MARIA CARMEN ZUBIA - Class A Filing Fee (\$280.00) Paid for: Kyle A Kinney - By Integrated Resource Systems IN
7. 14-Jul-2015 FILED: Case Management Statement (Appellant)

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**33 PROCEEDING ENTRIES**

8. 14-Jul-2015 ORDERED: Appellant's Emergency Application for Injunction Pending Appeal ARCAP 7(c) (Appellant) = DENIED. Hon Patricia A Orozco - Author
9. 20-Jul-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
10. 24-Jul-2015 RECEIPT No.: 2015-01026 ; \$140.00, Check Number: 2593, Applied to: DAVID SHAPIRO et al. - Class B Filing Fee (\$140.00) Paid for: - By Arizona Premier Legal Services, Inc
11. 21-Aug-2015 FILED: Appellant's Emergency Motion for Procedural Order Extending Time to File Opening Brief; Certificate of Service (Appellant)
12. 21-Aug-2015 FILED: Appellant's Notice of Filing and Service of Transcript; Certificate of Service
13. 21-Aug-2015 FILED: Reporter's Transcript of Proceedings - 4/21/15 (Jeanne Oliva) (Appellant)
14. 24-Aug-2015 ORDERED: Appellant's Emergency Motion for Procedural Order Extending Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 08-24-2015 to Wednesday, 09-23-2015. Melina Brill ProTem Judge - Author
15. 23-Sep-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service Appellant's Opening Brief
16. 23-Sep-2015 FILED: Appendix Appellant's Opening Brief (Appellant)
17. 23-Sep-2015 FILED: Exhibit A to Opening Brief; Certificate of Service Exhibit A to Appellant's Opening Brief
18. 13-Oct-2015 FILED: Appellee's Request for Extension of Time to File Answering Brief Pursuant to ARCAP 5(b); Certificate of Service (Appellee)
19. 14-Oct-2015 ORDERED: Appellee's Request for Extension of Time to File Answering Brief Pursuant to ARCAP 5(b) (Appellee) = GRANTED. Due date EXTENDED from Monday, 11-09-2015 to Wednesday, 12-09-2015. Melina Brill ProTem Judge - Author
20. 5-Nov-2015 FILED: Notice of Lis Pendens; Certificate of Service--Notice of Lis Pendens (Appellant)
21. 17-Nov-2015 FILED: Stipulation to Extend Briefing Schedule; Certificate of Service (Appellee)
22. 18-Nov-2015 ORDERED: Stipulation to Extend Briefing Schedule; (Answering) (Appellee) = DENIED. Melina Brill ProTem Judge - Author
23. 30-Nov-2015 ORDERED: amending 11/18/15 order by deleting referenced to "opening brief" and changing such references to "answering" brief." Melina Brill ProTem Judge - Author
24. 7-Dec-2015 FILED: Appellees' Response Brief; Certificate of Compliance; Certificate of Service
25. 7-Dec-2015 FILED: Appendix to Appellees' Response Brief
26. 28-Dec-2015 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service Appellant's Reply Brief (Appellant)
27. 28-Jan-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28. 4-Feb-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
29. 7-Jul-2016 CLNDR: CONFERENCE, Department A, 9-13-16, COURTROOM 2.
30. 29-Sep-2016 MEMORANDUM DECISION (Affirmed) Hon Randall M Howe - Author; Hon Kenton D Jones Judge - Concur; Hon Donn Kessler - Concur
31. 29-Sep-2016 FILED: Memorandum Decision Distribution List
32. 2-Nov-2016 FILED: Email Notice from ASC re: Petition for Review filed 11/1/16; request for partial record
33. 2-Nov-2016 FILED: Letter forwarding partial record to Arizona Supreme Court