

Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0477

ROBERTS v. WILLS

Appellate Case Information

Case Filed: 21-Jul-2015
Case Closed:

Dept/Composition

Department A
Hon. Kenton D Jones
Hon. Randall M Howe
Hon. Donn Kessler

Side 1. ALBERT RAY ROBERTS, an adult individual, Plaintiff/Appellant

(Litigant Group) ALBERT RAY ROBERTS

- Albert Ray Roberts

Attorneys for: Plaintiff/Appellant

Mick Levin, Esq. (AZ Bar No. 21891)

Side 2. JEREMY WILLS and JANE DOE WILLS, husband and wife; DEBRA WILLS and JOHN DOE WILLS, wife and husband, Defendant/Appellee

(Litigant Group) JEREMY WILLS et al.

- Jeremy Wills
Debra Wills

Attorneys for: Defendants/Appellees

Lori L Voepel, Esq. (AZ Bar No. 15342)

CASE STATUS

Dec 6, 2016.....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2012-003338, Unclassified Civil, Robert H Oberbillig, Authoring Judge of Order.

2 OPEN DUE DATES

Petition for Review to ASC due Due By: Thursday, January 5, 2017
Re: MEMORANDUM DECISION (Dismissed in Part, Affirmed in Part) Hon Randall M Howe - Author; Hon Kenton D Jones - Concur; Hon Donn Kessler - Concur

Response to Costs due Due By: Tuesday, January 10, 2017
Re: FILED: Statement of Costs; Certificate of Service (Appellee)

PENDING MATTER

General Motion Filed: 20-Dec-2016
Statement of Costs (Appellee)

CASE DECISION

06-Dec-2016 MEMORANDUM DECISION

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

Filed: 06-Dec-2016 Mandate:

Decision Disposition

Dismissed in Part
Affirmed in Part

37 PROCEEDING ENTRIES

- 1. 21-Jul-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/22/15
2. 21-Jul-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 28-Jul-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 31-Jul-2015 FILED: Case Management Statement (Appellant)
5. 3-Aug-2015 RECEIPT No.: 2015-01074 ; \$280.00, Check Number: 2446, Applied to: ALBERT RAY ROBERTS - Class A Filing Fee (\$280.00) Paid for: Mick Levin PLC - By Mick Levin PLC
6. 5-Aug-2015 FILED: Notice of Appearance; Certificate of Service (Appellee)

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7. 5-Aug-2015 FILED: Defendants/Appellees Designation of Additional Transcripts for Appeal Pursuant to ARCAP 11(C)(4)(A); Certificate of Service
8. 10-Aug-2015 RECEIPT No.: 2015-01105 ; \$140.00, Authorization: #22005057959, Applied to: JEREMY WILLS et al. - Class B Filing Fee (\$140.00) Paid for: Jones Skelton & Hochuli PLC - By Integrated Resource Systems IN
9. 15-Sep-2015 FILED: Motion to Extend Time to File Appellant's Opening Brief; Certificate of Service; Order Re: Motion to Extend Time to File Appellant's Opening Brief (Proposed Order)
10. 18-Sep-2015 ORDERED: Motion to Extend Time to File Appellant's Opening Brief = GRANTED. Due date EXTENDED from Monday, 09-28-2015 to Wednesday, 10-28-2015. Melina Brill ProTem Judge - Author
11. 26-Oct-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service
12. 10-Dec-2015 FILED: Unopposed Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
13. 14-Dec-2015 ORDERED: Unopposed Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 12-14-2015 to Wednesday, 01-13-2016. Melina Brill ProTem Judge - Author
14. 31-Dec-2015 FILED: Answering Brief & Combined Appendix; Certificate of Compliance; Certificate of Service (Appellee)
15. 13-Jan-2016 FILED: Motion to Extend Time to File Appellant's Reply Brief; Certificate of Service; Proposed Order
16. 15-Jan-2016 ORDERED: Motion to Extend Time to File Appellant's Reply Brief = GRANTED in part. Due date EXTENDED from Monday, 01-25-2016 to Tuesday, 02-16-2016. Melina Brill ProTem Judge - Author
17. 19-Jan-2016 FILED: Courtesy copy of Motion to Extend Time to File Appellant's Reply Brief
18. 16-Feb-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service
19. 18-Feb-2016 ORDERED: staying appeal to/including 4/04/2016 and revesting jurisdiction in superior court to permit consideration of an application for signed order with certification of finality pursuant to rule 54(c). FURTHER ORDERED: superior court shall rule on application. FURTHER ORDERED: is superior court grants appellant's application, appellants shall file copy of signed order within 10 days after its entry. Once clerk received order, appeal will be automatically reinstated. FURTHER ORDERED: if appeal has not been reinstated by filing of signed order, appellant shall file request to continue stay of appeal. If appellants do no file request to continue stay, appeal may be dismissed. Barbara Vidal Vaught ProTem Judge - Author
20. 19-Feb-2016 FILED: Notice of Filing and Service of February 25, 2015 Trial Transcript of Proceedings; Certificate of Service; Reporter's Transcript – 02/25/2015 - Trial (Barbara H Stockford) (Appellee)
21. 23-Feb-2016 FILED: Notice of Filing Signed Judgment; Certificate of Service; Signed Judgment
22. 26-Feb-2016 ORDERED: Reinstating this appeal. Barbara Vidal Vaught ProTem Judge - Author
23. 1-Mar-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record [includes signed Order Denying Plaintiff's Motion for a New Trial filed 2/23/16]
24. 1-Mar-2016 FILED: Defendants'/Appellees' Request for Oral Argument; Certificate of Service (Appellee)
25. 2-Mar-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
26. 11-Mar-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
27. 18-Mar-2016 ORDERED: Defendants'/Appellees' Request for Oral Argument (Appellee) = GRANTED. Hon Michael J Brown - Author
28. 29-Mar-2016 FILED: Notice of Change of Firm Address; Certificate of Service (Appellee)
29. 5-Aug-2016 FILED: Notice of Substitution of Counsel Within a Law Firm; Certificate of Service (Appellant)
30. 29-Aug-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department A, 10-25-16, 10:45 am, COURTROOM 2.
31. 6-Sep-2016 FILED: Notice of Oral Argument

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- 32. 13-Sep-2016 FILED: Receipt for Notice of Oral Argument, signed by Lori L Voepel on 09/06/2016 (Appellee)
- 33. 20-Sep-2016 FILED: Receipt for Notice of Oral Argument, signed by Mick Levin on 09/06/2016; Receipt for Notice of Oral Argument, signed by Mick Levin on 09/06/2016 (duplicate) (Appellant)
- 34. 25-Oct-2016 FILED: Sign-in Sheet/Case is Under Advisement as of 10/25/2016 (Dept A)
- 35. 6-Dec-2016 MEMORANDUM DECISION (Dismissed in Part, Affirmed in Part) Hon Randall M Howe - Author; Hon Kenton D Jones - Concur; Hon Donn Kessler - Concur
- 36. 6-Dec-2016 FILED: Memorandum Decision Distribution List
- 37. 20-Dec-2016 FILED: Statement of Costs; Certificate of Service (Appellee)