Court of Appeals, Division One

Civil - Family Court

1 CA-CV 15-0610 FC — MALHOTRA v. MALHOTRA

Appellate Case Information

Case Filed: 11-Sep-2015

Case Closed:

Dept/Composition

Department C

Hon. Peter B Swann
Hon. Kent E Cattani
Hon. Donn Kessler

Side 1. In re the Marriage of:

RAKESH MALHOTRA, Petitioner/Appellee

(Litigant Group) RAKESH MALHOTRA

- **Rakesh Malhotra**

Attorneys for: Petitioner/Appellee

Lonnie J Williams, Jr, Esq. (AZ Bar No. 5966)

Side 2. NEERA MALHOTRA, Respondent/Appellant

(Litigant Group) NEERA MALHOTRA

- **Neera Malhotra**

Co-Counsel for: Respondent/Appellant

Alexander R Arpad, Esq. (AZ Bar No. 21660)

Daniel A Zanon, Esq. (AZ Bar No. 13460)

CASE STATUS

Dec 19, 2016....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	FC2006-009701	Petition for Dissolution of Marriage (w/children)		Timothy J Thomason, Authoring Judge of Order		

OPEN DUE DATE

Petition for Review to ASC due — **Due By:** Wednesday, January 18, 2017

Re: ORDERED: dismissing this appeal for lack of jurisdiction. FURTHER ORDERED: Motion for Consideration of Supplemental Citation to the Record (Appellant) = DENIED as moot. Hon Peter B Swann - Author

CASE DECISION

19-Dec-2016 **ORDER**

ORDERED: dismissing this appeal for lack of jurisdiction. FURTHER ORDERED: Motion for Consideration of Supplemental Citation to the Record (Appellant) = DENIED as moot.

Filed: **19-Dec-2016** Mandate:

Decision Disposition
Dismissed

Peter Swann.....Author

42 PROCEEDING ENTRIES

1.	11-Sep-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/14/15
2.	11-Sep-2015	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time
3.	18-Sep-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	2-Oct-2015	FILED: Notice of Payment of Filing Fee; Certificate of Service to Notice of Payment of Filing Fee (Appellant)
5.	6-Oct-2015	RECEIPT No.: 2015-01385 ; $280.00, Authorization: #78026165142, Applied to: NEERA MALHOTRA - Class A Filing Fee ($280.00) Paid for: Fennemore Craig PC - By Integrated Resource Systems IN
6.	7-Oct-2015	FILED: Case Management Statement (Appellant)
7.	9-Oct-2015	FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due

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

42 PROCEEDING ENTRIES

8.	27-Oct-2015	FILED: Notice of Payment of Filing Fee; Certificate of Service re: Notice of Payment of Filing Fee (Appellee)
9.	30-Oct-2015	RECEIPT No.: 2015-01513 ; $140.00, Authorization: 02017408943, Applied to: RAKESH MALHOTRA - Class B Filing Fee ($140.00) Paid for: Stinson Leonard Street LLP - By Integrated Resource Systems IN
10.	17-Nov-2015	FILED: Respondent/Appellant's Opening Brief; Certificate of Compliance to Respondent/Appellant's Opening Brief; Certificate of Service to Respondent/Appellant's Opening Brief
11.	31-Dec-2015	FILED: Motion for Procedural Order: Stipulation to Extend Time for Appellee to File Answering Brief; Certificate of Service; Proposed Order (Appellee)
12.	4-Jan-2016	ORDERED: Extending the time for filing the Answering Brief to/including 2/3/16. Melina Brill ProTem Judge - Author
13.	3-Feb-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service
14.	25-Feb-2016	FILED: Motion for Procedural Order Extending Time to File Reply Brief; Certificate of Service (Appellant)
15.	26-Feb-2016	ORDERED: Extending the time to file the Reply Brief to/including 3/7/16. Barbara Vidal Vaught ProTem Judge - Author
16.	7-Mar-2016	FILED: Motion for Consideration of Supplemental Citation to the Record; Certificate of Service (Appellant)
17.	7-Mar-2016	FILED: Request for Oral Argument; Certificate of Service (Appellant)
18.	7-Mar-2016	FILED: Respondent/Appellant's Reply Brief; Certificate of Compliance to Respondent/Appellant's Reply Brief; Certificate of Service to Respondent/Appellant's Reply Brief
19.	7-Mar-2016	FILED: Notice of Errata; Certificate of Service to Notice of Errata (Appellant)
20.	28-Mar-2016	FILED: Response to Appellant's Motion for Consideration of Supplemental Citation to the Record; Certificate of Service (Appellee)
21.	29-Mar-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
22.	29-Mar-2016	FILED: Notice of Bankruptcy; Certificate of Service (Appellant)
23.	4-Apr-2016	FILED: Reply in Support of Motion for Consideration of Supplemental Citation to the Record; Certificate of Service (Appellant)
24.	8-Apr-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
25.	8-Apr-2016	ORDERED: deferring a ruling on motion (for consideration of supplemental citation) until after this appeal is assigned to panel of this court for consideration on merits. Barbara Vidal Vaught ProTem Judge - Author
26.	8-Apr-2016	FILED: Additional Record on Appeal: Exhibits: HD 6/18/10 - List and # 28 29 36 38 39 40 41 42 43 45 49 50 51 52 53 in manila envelope; HD 5/4/10 - List and # 1 in manila envelope; HD 11/18/10 - List and # 11 12 15 16 17 27 31 33 36 37 41 45 46 47 48 50 53 55 57 67 68 75 76 90 91 93 101 105 108 116 122 122.001 122.004 122.005 122.006 122.007 122.008 122.009 122.010 122.014 122.018 127 129 130 132 133 134 135 136 137 138 142 144 146 152 154 156 161 172 173 184 196 202 203 204 206 208 211 214 215 218 225 239 241 253 in box; HD 9/23/11 - List and # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 19 21 22 23 24 25 26 27 28 29 36 37 38 39 40 41 42 43 44 45 46 47 48 50 51 52 53 54 55 56 57 71 72 73 74 75 76 77 78 79 80 85 86 86 88 89 90 92 93 94 95 96 97 98 99 101 102 103 108 109 110 111 112 113 in box; HD 3/28/13 - List and # 2 3 4 5 6 7 25 26 37 38 39 40 41 45 46 47 48 49 50 53 59 in manila envelope; HD 12/16/13 - List and # 1 2 3 4 5 6 7 8 9 10 11 12 13 29 32 40 42 47 49 50 in manila envelope.
27.	12-Apr-2016	ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
28.	20-Apr-2016	ORDERED: staying appeal until further order. FURTHER ORDERED: directing appellant to file memorandum in this court on/before 5/03/2016, supported by appropriate points of authority, addressing why appeal is not subject to automatic stay of bankruptcy court. FURTHER ORDERED: response/reply may be filed in accordance with ARCAP 6(a)(2). Melina Brill ProTem Judge - Author
29.	3-May-2016	FILED: Clarifying Memorandum Regarding Bankruptcy Stay; Certificate of Service (Appellant)

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42 PROCEEDING ENTRIES

30.	4-May-2016	ORDERED: Clarifying Memorandum Regarding Bankruptcy Stay; (Appellant) = GRANTED/continuing stay of this appeal. FURTHER ORDERED: Directing appellant to obtain an order from bankruptcy court authorizing this appeal to proceed. If appellant fails to obtain an order w/in 60 days, appellant shall file a status report indicating why she is unable to obtain such order. Melina Brill ProTem Judge - Author
31.	28-Jul-2016	ORDERED: granting an extension until 08/08/2016, for appellant to obtain an order from bankruptcy court authorizing appeal to proceed or to file a status report indicating why she is unable to obtain such order. Melina Brill ProTem Judge - Author
32.	8-Aug-2016	FILED: Bankruptcy Status Report; Certificate of Service to Bankruptcy Status Report (Appellant)
33.	9-Aug-2016	ORDERED: continuing stay of appeal. FURTHER ORDERED: appellant to advise within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and notice of status of bankruptcy proceedings due 09/09/2016. Barbara Vidal Vaught ProTem Judge - Author
34.	9-Sep-2016	FILED: Bankruptcy Status Report; Certificate of Service to Bankruptcy Status Report (Appellant)
35.	12-Sep-2016	ORDERED: continuing stay of this appeal. FURTHER ORDERED: directing appellant to advise court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy proceedings on/before 10/27/2016. Failure to timely comply with this order may result in sanctions. Melina Brill ProTem Judge - Author
36.	13-Sep-2016	FILED: Notice of Firm Change; Certificate of Service to Notice of Firm Change (Appellant)
37.	17-Oct-2016	FILED: Bankruptcy Status Report and Notice of Stay Relief; Certificate of Service; Bankruptcy Court Order (Appellant)
38.	18-Oct-2016	ORDERED: terminating stay of this appeal entered by this court on 04/20/2016. FURTHER ORDERED: clerk of this court shall schedule this appeal for consideration on the merits on the first available calendar. Melina Brill ProTem Judge - Author
39.	28-Nov-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 1-18-17, 10:15 am, COURTROOM 1.
40.	30-Nov-2016	FILED: Notice of Oral Argument
41.	1-Dec-2016	FILED: Receipt for Notice of Oral Argument, signed by Lonnie J Williams, Jr. on 11/30/2016 (Appellee)
42.	19-Dec-2016	ORDERED: dismissing this appeal for lack of jurisdiction. FURTHER ORDERED: Motion for Consideration of Supplemental Citation to the Record (Appellant) = DENIED as moot. Hon Peter B Swann - Author

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