Court of Appeals, Division One

Civil - Family Court

1 CA-CV 15-0774 FC — PETROCELLI v. ANDERSON

Appellate Case Information

Case Filed: 20-Nov-2015

Case Closed: 10-Feb-2017

Decision

Dept/Composition

Department D

Hon. Andrew W. Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. In re the Matter of:

MARTIN PETROCELLI, Petitioner/Appellee

(Litigant Group) MARTIN PETROCELLI

- **Martin Petrocelli** PRO SE

Side 2. IZABELA ANDERSON, Respondent/Appellant

(Litigant Group) IZABELA ANDERSON

- **Izabela Anderson** PRO SE

CASE STATUS

Feb 10, 2017....Case Closed

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	FC2009-007479	Motion to Modify Parenting Time		Geoffrey H Fish, Authoring Judge of Order		

OPEN DUE DATE

Supplemental Applic for Waiver/Deferral of Fees **Due By:** Tuesday, February 21, 2017

Re: FILED: Notice of Court Fees and Costs Due - payment of court fees in the amount of $280.00 or Supplemental Application for waiver or further deferral due by Izabella, Appellant on/before 02/21/2017.

CASE DECISION

30-Dec-2016 MEMORANDUM DECISION

Andrew Gould.....Author
Patricia Orozco.....Concur
Peter Swann.....Concur

Filed: **30-Dec-2016** Mandate: **10-Feb-2017**

Decision Disposition
Appeal Dismissed

40 PROCEEDING ENTRIES

1.	20-Nov-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/23/15
2.	20-Nov-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	2-Dec-2015	FILED: Notice to Parties re: Appellant's Fee Deferred/Appellee's Fee Due/Appellant's Case Management Statement/Brief Due
4.	2-Dec-2015	ORDERED: the deferral remains in effect unless there is a change in Appellant's financial circumstances. Ruth Willingham - Author
5.	16-Dec-2015	RECEIPT No.: 2015-01724 ; $140.00, Check Number: #362, Applied to: MARTIN PETROCELLI - Class B Filing Fee ($140.00) Paid for: - By MARTIN PETROCELLI
6.	6-Jan-2016	ORDERED: case management statement shall be filed on/before 1/19/16. Melina Brill ProTem Judge - Author
7.	19-Jan-2016	FILED: Case Management Statement (Appellant Pro Per)
8.	20-Jan-2016	FILED: Untitled: Motion to Dismiss (Appellee Pro Per)
9.	1-Feb-2016	FILED: Motion to Extend The Due Date for Opening Brief (Appellant Pro Per)

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

40 PROCEEDING ENTRIES

10.	2-Feb-2016	ORDERED: Motion to Extend The Due Date for Opening Brief (Appellant Pro Per) = DENIED. FURTHER ORDERED: Vacating 2/1/16 due date for opening brief. Order ruling on pending motion to dismiss will set a due date for filing opening brief, if motion to dismiss is denied. Barbara Vidal Vaught ProTem Judge - Author
11.	16-Feb-2016	ORDERED: Untitled: Motion to Dismiss (Appellee Pro Per) = DENIED. FURTHER ORDERED: Opening brief shall be filed on/before 3/17/16. Barbara Vidal Vaught ProTem Judge - Author
12.	17-Mar-2016	FILED: Motion for Extension of Time to File Brief (Opening)(Appellant Pro Per)
13.	18-Mar-2016	ORDERED: Motion for Extension of Time to File Brief (Opening)(Appellant Pro Per) = GRANTED. Due date EXTENDED from Thursday, 03-17-2016 to Thursday, 03-31-2016. Barbara Vidal Vaught ProTem Judge - Author
14.	28-Mar-2016	FILED: Reporter's Transcript – 09/16/2015 - Evidentiary Hearing (Diane R McQuisition Speed) (Appellant)
15.	31-Mar-2016	FILED: Appellant's Opening Brief; Certificate of Compliance; Proof of Service (Appellant)
16.	4-May-2016	FILED: (Untitled) Motion to Dismiss, or in the alternative, extension of time for filing Answering brief (Appellee Pro Per)
17.	5-May-2016	ORDERED: denying appellee's motion (re: extension of time for filing answering brief). FURTHER ORDERED: Vacating 5/16/16 due date for answering brief. Order ruling on pending motion to dismiss will set a due date for filing answering brief, if motion to dismiss is denied. Melina Brill ProTem Judge - Author
18.	23-May-2016	FILED: Appellant's Response to Appellees Motion to Dismiss (Appellant Pro Per)
19.	31-May-2016	FILED: Appellee's Response to Appellant's Response to Appellee's Motion to Dismiss (Appellee Pro Per)
20.	7-Jun-2016	ORDERED: (Untitled) Motion to Dismiss (Appellee Pro Per) = DENIED. FURTHER ORDERED: (Per Eaton Fruit Co. v. California Spray-Chemical Corp.) Staying appeal to/including 07/25/2016. FURTHER ORDERED: Signed order with due within 10 days after its entry. FURTHER ORDERED: If appeal reinstated by filing of signed order, answering brief due 08/24/2016. Melina Brill ProTem Judge - Author
21.	8-Jul-2016	FILED: Notice (Re: Signed Minute Entry) (Appellant Pro Per)
22.	13-Jul-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (including ME dated 6/29/16 filed 7/1/16 re: granting Application/Court will sign and reissue its ME order denying Respondent's Motion for New Trial)
23.	23-Aug-2016	FILED: Appellee's Answering Brief (Appellee Pro Per)
24.	23-Aug-2016	FILED: Appellee's Answering Brief (duplicate) (Appellee Pro Per)
25.	19-Sep-2016	FILED: Request for Oral Argument (Appellant Pro Per)
26.	30-Sep-2016	ORDERED: granting the motion and extending the time for filing the reply brief to/including 09/30/2016. Melina Brill ProTem Judge - Author
27.	4-Oct-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28.	10-Oct-2016	FILED: Proof of Service (Appellant Pro Per)
29.	10-Oct-2016	FILED: Appellant's Reply; Certificate of Compliance; Proof of Service; Child Interview (Appellant Pro Per)
30.	10-Oct-2016	FILED: Certificate of Compliance; Proof of Service (Appellant Pro Per)
31.	13-Oct-2016	ORDERED: Request for Oral Argument (Appellant Pro Per) = DENIED. Hon Michael J Brown - Author
32.	14-Oct-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
33.	14-Oct-2016	FILED: Additional Record on Appeal: Exhibits: HD 07/06/2010 - LIST # 1 2 3 4 5 6 7 8 9 in Manila Envelope; HD 10/12/2011 - LIST # 2 3 4 5 6 11 12 13 16 19 20 23 24 25 28 30 31 32 33 34 35 37 38 41 42 43 in Manila Envelope; HD 03/13/2014 - LIST # 1 2 3 4 5 6 7 10 11 13 15 18 21 22 23 25 28 29 37 38 39 40 41 in Manila Envelope; HD 09/16/2015 - LIST # 1 2 4 6 7 8 9 10 12 14 15 17 18 22 23 25 26 28 29 32 33 37 38 39 42 43 46 52 53 54 55 56 57 58 61 64 66 70 73 84 87 88 89 95 in Manila Envelope
34.	28-Oct-2016	CLNDR: CONFERENCE, Department D, 12-21-16, COURTROOM 2.

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35.	30-Dec-2016	MEMORANDUM DECISION (Appeal Dismissed) Hon Andrew W Gould - Author; Hon Patricia A Orozco - Concur; Hon Peter B Swann - Concur
36.	30-Dec-2016	FILED: Memorandum Decision Distribution List
37.	13-Jan-2017	FILED: Statement of Costs (Appellee)
38.	7-Feb-2017	ORDERED: awarding Petitioner/Appellee his costs in the amount of $140.00. Amy M Wood - Author
39.	10-Feb-2017	FILED: Mandate, Record returned to superior court.
40.	10-Feb-2017	FILED: Notice of Court Fees and Costs Due - payment of court fees in the amount of $280.00 or Supplemental Application for waiver or further deferral due by Izabella, Appellant on/before 02/21/2017.

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