

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 19-0829 FC

VAN BERKEL v. VAN BERKEL

Appellate Case Information

Case Filed: 20-Dec-2019

Case Closed:

Dept/Composition

Department A

Hon. Randall M Howe
Hon. Kent E Cattani
Hon. Cynthia J Bailey

Side 1. TAMERA LYNN VAN BERKEL, Petitioner/Appellant

(Litigant Group) TAMERA LYNN VAN BERKEL

- Tamera Lynn Van Berkel

Attorneys for: Petitioner/Appellant

Kimberly A Eckert, Esq. (AZ Bar No. 15040)

Side 2. PAUL WILLIAM VAN BERKEL, Respondent/Appellee

(Litigant Group) PAUL WILLIAM VAN BERKEL

- Paul William Van Berkel

PRO SE

CASE STATUS

Oct 20, 2020.....Under Advisement

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, FC2007-006101, Motion for Post-Decree Temporary Order with Notice for Modification of Legal Decision Making and Parenting Time, Melissa Iyer Julian, Authoring Judge of Order.

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR

CV Cases

20-Oct-2020 Department A; VIDEOCONFERENCE

10:30 AM TAMERA LYNN VAN BERKEL..... 20 mins.
PAUL WILLIAM VAN BERKEL..... 20 mins.

37 PROCEEDING ENTRIES

- 1. 20-Dec-2019 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/21/19, Notice of Cross Appeal from Maricopa County Superior Court filed 12/03/2019
2. 20-Dec-2019 FILED: e-Record on Appeal: Combined Minute Entries/Instruments
3. 20-Dec-2019 FILED: Additional record on appeal: HD 08/28/2009 LIST# 1 2 3 4 5(SEALED) 8 10 11(SEALED) 14 15 16 17 18 22 23 24 26 27 28 35 36 37 38 40(SEALED) 41 42 43 46 47 48 50 51 53 54 55 56 57 58 59 60 in Box; HD 04/07/2011 LIST# 1 2 3 4 in Box; HD 01/13/2016 LIST# 3 4 5 6 7 17 18 19 24 in Box; HD 05/10/2019 LIST# 1 2 3 in Box; HD 09/10/2019 LIST# 1 2 3 4 5 6 7 8 10 11 12 14 16 18 19 20 21 32 35 36 37 38 39 in Box
4. 30-Dec-2019 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 3-Jan-2020 FILED: Petitioner's Motion to Require Appellant to Order Transcript; Certificate of Service (Petitioner/Appellee/Cross-Appellant)
6. 6-Jan-2020 FILED: Notice of Payment; Certificate of Service (Petitioner/Appellee/Cross-Appellant)
7. 9-Jan-2020 RECEIPT No.: 2020-00023 ; \$280.00, Authorization: # 08018729866, Applied to: TAMERA LYNN VAN BERKEL - Class A Filing Fee (\$280.00) Paid for: Kimberly A Eckert - By nCourt LLC
8. 9-Jan-2020 RECEIPT No.: 2020-00026 ; \$140.00, Authorization: #08018729866, Applied to: TAMERA LYNN VAN BERKEL - Class A Filing Fee (\$140.00) Paid for: Law Offices of Kimberly A Eckert - By nCourt LLC (Memo: x-Ref #2020-00023)
9. 9-Jan-2020 VOID RECEIPT No.: 2020-00023 - \$-280.00, Authorization: # 08018729866, - Applied to: TAMERA LYNN VAN BERKEL - Class A Filing Fee (\$-280.00) Paid for: Kimberly A Eckert - By: nCourt LLC VOID Reason: x-ref 2019-00026 incorrect amount.alc
10. 10-Jan-2020 RECEIPT No.: 2020-00032 ; \$140.00, Authorization: #09013530642, Applied to: TAMERA LYNN VAN BERKEL - Class A Filing Fee (\$140.00), Class A Filing Fee (\$0.00) Paid for: Kimberly A Eckert - By nCourt LLC (Memo: Partial Payment)
11. 10-Jan-2020 VOID RECEIPT No.: 2020-00032 - \$-140.00, Authorization: #09013530642, - Applied to: TAMERA LYNN VAN BERKEL - Class A Filing Fee (\$-140.00), Class A Filing Fee (\$0.00) Paid for: Kimberly A Eckert - By: nCourt LLC (Memo: Partial Payment) VOID Reason: x-ref 2020-00033 applied incorrect receivable.alc

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 19-0829 FC****VAN BERKEL v. VAN BERKEL****37 PROCEEDING ENTRIES**

12. 10-Jan-2020 RECEIPT No.: 2020-00033 ; \$140.00, Authorization: #09013530642, Applied to: TAMERA LYNN VAN BERKEL - Class A Filing Fee (\$140.00) Paid for: Law Offices of Kimberly A Eckert - By nCourt LLC (Memo: X-Ref: 2020-00032)
13. 24-Jan-2020 ORDERED: Petitioner's Motion to Require Appellant to Order Transcript (Appellee) = DENIED. FURTHER ORDERED: Directing both parties to file a notice of transcript order that complies with ARCAP 11(c)(3) in the superior court by 01/31/2020. The parties may then follow the process in that rule for obtaining a transcript. Melina Brill ProTem Judge - Author
14. 29-Jan-2020 FILED: Notice of Filing Transcript Order Notice in Superior Court; Certificate of Service (Petitioner/Appellee/Cross-Appellant)
15. 31-Jan-2020 ORDERED: dismissing appeal; FURTHER ORDERED: deeming cross-appeal the primary appeal. FURTHER ORDERED: amending caption by designating petitioner as appellant, respondent as appellee, and removing designations of cross-appeal. Caption on this order shall be used on all future documents in appeal. FURTHER ORDERED: case management statement due 2/10/2020. FURTHER ORDERED: opening brief due 3/2/2020; FURTHER ORDERED: respondent/appellee's filing fee of \$140.00 due 2/10/2020. FURTHER ORDERED: directing clerk to reference this order in electronic case management system. Melina Brill ProTem Judge - Author
16. 5-Feb-2020 FILED: Case Management Statement (Appellant)
17. 19-Feb-2020 FILED: Notice of Filing Transcript; Certificate of Service; Reporter's Transcript - 09/10/2019 - Evidentiary Hearing (Franchon Smith & Fay Schroeder) (Appellant)
18. 19-Feb-2020 FILED: Corrected Notice of Filing Transcript; Certificate of Service; Reporter's Transcript - 09/10/2019 - Evidentiary Hearing (Franchon Smith & Fay Schroeder) (Appellant)
19. 2-Mar-2020 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
20. 1-May-2020 ORDERED: Answering brief shall be filed on/before 05/19/2020. Appellee must pay the filing fee before filing the brief. If the brief is not timely filed, this appeal will be submitted for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
21. 12-May-2020 FILED: Answering Brief; Certificate of Compliance; (Untitled) Certificate of Service (Appellee Pro Per)
22. 18-May-2020 RECEIPT No.: 2020-00607 ; \$140.00, Authorization: #39015132185, Applied to: PAUL WILLIAM VAN BERKEL - Class B Filing Fee (\$140.00) Paid for: PAUL WILLIAM VAN BERKEL - By nCourt LLC
23. 1-Jun-2020 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
24. 1-Jun-2020 FILED: Motion to Strike Answering Brief; Certificate of Service (Appellant)
25. 4-Jun-2020 FILED: Reply Brief (Appellee's Reply Brief on Cross-Appeal); Certificate of Compliance; Certificate of Service (Appellee Pro Per)
[STRICKEN per order filed 6/5/2020]
26. 4-Jun-2020 FILED: Objection to Motion to Strike Answering Brief; Certificate of Service; Certificate of Compliance (Appellee)
27. 5-Jun-2020 ORDERED: striking reply brief on cross-appeal filed 6/4/2020. Melina Brill ProTem Judge - Author
28. 15-Jun-2020 FILED: Request for Oral Argument; Certificate of Service (Appellee)
29. 17-Jun-2020 ORDERED: Motion to Strike Answering Brief (Appellant) = DENIED. Melina Brill ProTem Judge - Author
30. 25-Jun-2020 ORDERED: Request for Oral Argument (Appellee) = GRANTED. Hon Peter B Swann - Author
31. 14-Jul-2020 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
32. 24-Jul-2020 FILED: Supplemented Superior Court e-Record with Revised Index of Record
33. 25-Aug-2020 CLNDR: MONTHLY COURT CASE CALENDAR, Department A, 10-20-20, 10:45 am, COURTROOM 2.
34. 15-Sep-2020 FILED: Notice of Oral Argument
35. 17-Sep-2020 FILED: Return Receipt for Notice of Oral Argument, signed by Kimberly Eckert on 09/17/2020 (Appellant)
36. 22-Sep-2020 FILED: Return Receipt for Notice of Oral Argument, signed by Paul Van Berkel on 09/14/2020 (Appellee Pro Per)
37. 28-Sep-2020 ORDERED: Modifying oral argument scheduled on 10/20/2020, at 10:45am to be a video conference oral argument. FURTHER ORDERED: Changing time of oral argument from 10:45am to 10:30am. Hon Randall M Howe - Author