

Court of Appeals, Division One
Juvenile

1 CA-JV 16-0056

SCHUYLER D. v. DCS, E.D.

Appellate Case Information

Case Filed: 19-Feb-2016
Case Closed:

Dept/Composition

Department E (August)
Hon. Peter B Swann
Hon. Jon W Thompson
Hon. Donn Kessler

Side 1. SCHUYLER D., Appellant
(Litigant Group) SCHUYLER D.

- Schuyler D.

Attorneys for: Appellant

DeeAn Gillespie Strub, Esq. (AZ Bar No. 9987)

Side 2. DEPARTMENT OF CHILD SAFETY, E.D., Appellee
(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee

Amanda L Adams, Esq. (AZ Bar No. 22505)

(Litigant Group) E.D.

- E. D.

Guardian Ad Litem for Child

Hollie Taylor Owsley, Esq. (AZ Bar No. 16043)
Colleen Engineer, Esq. (AZ Bar No. 22432)

CASE STATUS

Nov 29, 2016....**Decision Rendered**

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JD528102	Dependency		James P Beene, Authoring Judge of Order		

OPEN DUE DATE

Petition for Review to ASC due

Due By: Thursday, December 29, 2016

Re: MEMORANDUM DECISION (Affirmed) Hon Peter B Swann - Author; Hon Jon W Thompson - Concur; Hon Donn Kessler - Concur

CASE DECISION

29-Nov-2016 **MEMORANDUM DECISION**

Peter Swann.....Author
Jon Thompson.....Concur
Donn Kessler.....Concur

Filed: **29-Nov-2016** Mandate:

Decision Disposition
Affirmed

51 PROCEEDING ENTRIES

- 19-Feb-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 02/16/16 (Father)
- 19-Feb-2016 FILED: Notification of Notice of Appeal Filed (Father)
- 19-Feb-2016 FILED: Minute Entry dated 02/03/2016, re: Dependency Ruling
- 23-Feb-2016 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)
- 4-Mar-2016 FILED: E- Record on Appeal: Instruments/Minute Entries: Combined Exhibits: None
- 4-Mar-2016 FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 11/03/2015 - LIST # 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24 In Accordion Folder in Box

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7. 25-Mar-2016 ORDERED: Transcript coordinator Shawn Smith due dates EXTENDED to 04/04/2016 for transcripts of proceedings held on 12/15/2015, 12/08/2015, 12/01/2015. Fred Cole ProTem Judge - Author
8. 7-Apr-2016 FILED: Reporter's transcript - 10/31/14 - Mental Competency Hearing/Pretial Conference (Liesl Springer)
9. 7-Apr-2016 FILED: Reporter's Transcript - 12/04/14 - Review of Placement Hearing (Liesl Springer)
10. 7-Apr-2016 FILED: Reporter's Transcript - 12/15/14 - Status Conference (Meribeth Ashley)
11. 7-Apr-2016 FILED: Reporter's Transcript - 01/21/15 - Pretial Conference (Meribeth Ashley)
12. 7-Apr-2016 FILED: Reporter's Transcript - 09/18/15 - Status conference (Liesl Springer)
13. 7-Apr-2016 FILED: Reporter's Transcript - 10/26/15 - Status Conference (Helen Franklin)
14. 7-Apr-2016 FILED: Reporter's Transcript - 11/03/15 - Continued Contested Dependency Hearing (Marguerite Leverenz)
15. 7-Apr-2016 FILED: Reporter's Transcript - 11/20/15 - Continued Contested Dependency Hearing (Marguerite Leverenz)
16. 7-Apr-2016 FILED: Reporter's Transcript - 7/20/15 - Status Conference (Melissa Looney)
17. 7-Apr-2016 FILED: Reporter's Transcript - 7/31/15 - Status Conference (Stacy Stewart)
18. 7-Apr-2016 FILED: Reporter's Transcript - 08/12/15 - Report and Review Hearing/Permanency Planning Hearing (Liesl Springer)
19. 7-Apr-2016 FILED: Reporter's Transcript - 8/28/15 - Pretial Conference/Report and Review Hearing (Melissa Looney)
20. 7-Apr-2016 FILED: Reporter's Transcript - 3/30/15 - Review of Placement Hearing (Stacy Stewart)
21. 7-Apr-2016 FILED: Reporter's Transcript - 5/1/15 - Report and Review Hearing/Review of Placement Hearing (Marcia Bisaga)
22. 7-Apr-2016 FILED: Reporter's Transcript - 5/27/15 - Status Conference (Marcia Bisaga)
23. 7-Apr-2016 FILED: Reporter's Transcript - 6/23/15 - Status Conference (Melissa Looney)
24. 7-Apr-2016 FILED: Reporter's Transcript - 12/01/15 - Continued Contested Dependency Hearing (Elizabeth Silva)
25. 7-Apr-2016 FILED: Reporter's Transcript - 12/08/15 - Continued Contested Dependency Hearing (Lisa Berkey)
26. 7-Apr-2016 FILED: Reporter's Transcript - 12/15/15 - Continued Contested Dependency Hearing (Liesl Springer)
27. 8-Apr-2016 FILED: Notice of Completion of Record
28. 13-Apr-2016 FILED: Appellant's Motion to Extend Time (First Request - Motion for Procedural Order); Certificate of Service (Appellant)
29. 14-Apr-2016 ORDERED: Appellant's Motion to Extend for Time to File Opening Brief (First Request - Motion for Procedural Order) = GRANTED. Due date extended to 05/12/2016. Fred Cole ProTem Judge - Author
30. 21-Apr-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
31. 12-May-2016 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
32. 6-Jun-2016 FILED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief and Expedited Ruling; DCS's Certificate of Service for Motion for Procedural Order for Extension of Time to File Answering Brief and Expedited Ruling (Appellee)
33. 7-Jun-2016 ORDERED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief and Expedited Ruling = GRANTED. Due date EXTENDED from Monday, 06-06-2016 to Monday, 06-27-2016. FURTHER ORDERED if answering brief is not filed as required, appeal will be submitted for decision on the record and opening brief. Fred Cole ProTem Judge - Author
34. 27-Jun-2016 FILED: Appellee Department of Child Safety's Answering Brief; Appellee Department of Child Safety's Certificate of Compliance for Answering Brief; Appellee Department of Child Safety's Certificate of Service for Answering Brief (Appellee)
35. 5-Jul-2016 CLNDR: CONFERENCE, Department E (August), 8-30-16, COURTROOM 2.
36. 15-Jul-2016 FILED: Appellant's Motion to Extend Time to File Reply Brief (First Request); Appellant's Motion to Extend Time to File Reply Brief (First Request)(Certificate of Service) (Appellant)

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51 PROCEEDING ENTRIES

37. 20-Jul-2016 ORDERED: Appellant's Motion to Extend Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-18-2016 to Thursday, 07-28-2016 or appeal submitted on Opening Brief and Answering Brief. Fred Cole ProTem Judge - Author
38. 26-Jul-2016 FILED: Memorandum, 7/26/16, moving Conference from 8/30 to 8/25 (Judge Swann)
39. 28-Jul-2016 FILED: Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
40. 1-Aug-2016 FILED: Appellant's Request For Oral Argument; Certificate of Service for Appellant's Request For Oral Argument (Appellant)
41. 5-Aug-2016 FILED: DCS's Opposition to Motion for Oral Argument; DCS's Certificate of Service for Opposition to Oral Argument (Appellee)
42. 9-Aug-2016 ORDERED: Appellant's Request For Oral Argument = DENIED. Hon Peter B Swann - Author
43. 21-Oct-2016 FILED: Appellant's Motion to Strike Inaccurate Statements from the Department's Answering Brief; Certificate of Service for Appellant's Motion to Strike Inaccurate Statements from the Department's Answering Brief; Exhibit 1 (Appellant)
44. 24-Oct-2016 FILED: Notice of Intention Not to Actively Participate in Appeal; Certificate of Service for Notice of Intention Not to Actively Participate in Appeal (Appellee)
45. 27-Oct-2016 FILED: DCS's Opposition to Appellant's Motion to Strike Inaccurate Statements from the Department's Answering Brief; DCS's Certificate of Service for Opposition to Appellant's Motion to Strike Inaccurate Statements from the Department's Answering Brief (Appellee)
46. 8-Nov-2016 FILED: Motion to Extend Time to File Reply - Motion for Procedural Order (First Request); Certificate of Service for Motion to Extend Time to File Reply (Appellant)
47. 10-Nov-2016 ORDERED: Motion to Extend Time to File Reply - Motion for Procedural Order (First Request) = GRANTED. A reply may be filed on/before 11/14/2016. Hon Peter B Swann - Author
48. 14-Nov-2016 FILED: Reply in Support of Motion to Strike Inaccurate Statements; Certificate of Service for Reply in Support of Motion to Strike Inaccurate Statements (Appellant)
49. 29-Nov-2016 MEMORANDUM DECISION (Affirmed) Hon Peter B Swann - Author; Hon Jon W Thompson - Concur; Hon Donn Kessler - Concur
50. 29-Nov-2016 FILED: Memorandum Decision Distribution List
51. 29-Nov-2016 ORDERED: Appellant's Motion to Strike Inaccurate Statements from the Department's Answering Brief (Appellant)
DCS's Opposition to Appellant's Motion to Strike Inaccurate Statements from the Department's Answering Brief (Appellee) = DENIED. (Per Memorandum Decision dated 11/29/2016) Hon Peter B Swann - Author