

Court of Appeals, Division One

Civil Appeal

1 CA-CV 22-0447

STATE FARM v. ORLANDO

Appellate Case Information

Case Filed: 21-Jul-2022

Case Closed:

Dept/Composition

Department F

Hon. Maria Elena Cruz
Hon. James B Morse Jr.
Hon. Daniel J Kiley

Side 1. STATE FARM AUTOMOBILE INSURANCE COMPANY, Plaintiff/Appellee

(Litigant Group) STATE FARM AUTOMOBILE INSURANCE COMPANY

- State Farm Automobile Insurance Company

Attorneys for: Plaintiff/Appellee

David M Bell, Esq. (AZ Bar No. 6818)

Side 2. JACEY LEE ORLANDO, Defendant/Appellant

(Litigant Group) JACEY LEE ORLANDO

- Jacey Lee Orlando

Attorneys for: Defendant/Appellant

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

CASE STATUS

Oct 17, 2023.....Pending in ASC

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2020-006088	Declaratory Judgment		Katherine Cooper, Authoring Judge of Order		

DESCENDENT CASE (S)

ASC CV-23-0228-PR

CASE DECISION

15-Aug-2023 OPINION

Amended Per Order Filed 10-03-2023

Filed: 15-Aug-2023

Mandate:

James Morse Jr.....Author

Maria Cruz.....Concur

Daniel Kiley.....Concur

Decision Disposition

Affirmed in Part
Vacated in Part
Remanded

41 PROCEEDING ENTRIES

- 21-Jul-2022 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/22/22
- 21-Jul-2022 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None
- 21-Jul-2022 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 27-Jul-2022 FILED: Appellant's Notice of Payment of Filing Fee; Certificate of Service (Appellant)
- 2-Aug-2022 RECEIPT No.: 2022-00817 ; \$280.00, Authorization: #14011522464, Applied to: JACEY LEE ORLANDO - Class A Filing Fee (\$280.00) Paid for: Mick Levin - By nCourt LLC
- 9-Aug-2022 ORDERED: Staying appeal until 09/08/2022. Signed order with certification of finality pursuant to Rule 54(c) and signed order re: ME of 06/16/2020 filed 06/20/2020 due within 10 days after its entry. If appeal reinstated by filing of signed orders before 09/08/2022, case management statement due 09/19/2022, and opening brief due 10/11/2022. Melina Brill ProTem Judge - Author
- 8-Sep-2022 FILED: Appellant's Notice of Signed Order; Certificate of Service; Copy of MAR County Superior Court Order dated 09/07/2022 re: Amended Judgment and Order Denying New Trial (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 22-0447****STATE FARM v. ORLANDO****41 PROCEEDING ENTRIES**

8. 12-Sep-2022 ORDERED: Continuing stay of appeal until 10/07/2022, to allow Maricopa County Superior Court to consider motion by appellant for signed judgment with Rule 54(c) finality language. FURTHER ORDERED: Directing clerk of superior court to transmit certified copy of ruling within 10 days after its entry, marked for filing in appeal. FURTHER ORDERED: Stay will be lifted automatically on 10/07/2022, unless before that date appellant files motion to continue stay. If motion to continue stay is not timely filed and superior court has not entered signed Rule 54(c) judgment, this court may dismiss appeal. FURTHER ORDERED: If this court has received signed Rule 54(c) judgment before 10/07/2022, case management statement due 10/17/2022, and opening brief due 11/07/2022. Melina Brill ProTem Judge - Author
9. 22-Sep-2022 FILED: Supplemented Superior Court e-Record with Revised Index of Record
10. 7-Oct-2022 FILED: Appellant's Notice of Signed Order; Certificate of Service; Copy of Corrected Amended Judgment and Order Denying New Trial filed in MAR County Superior Court on 09/29/2022 (Appellant)
11. 11-Oct-2022 FILED: Case Management Statement (Appellant)
12. 20-Oct-2022 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
13. 27-Oct-2022 RECEIPT No.: 2022-01116 ; \$140.00, Check Number: #16208, Applied to: STATE FARM AUTOMOBILE INSURANCE COMPANY - Class B Filing Fee (\$140.00) Paid for: - By Christian Dichter & Sluga PC
14. 2-Nov-2022 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee)
15. 2-Nov-2022 FILED: Certificate of Service (Duplicate) (Appellee)
16. 7-Nov-2022 FILED: Plaintiffs'/Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
17. 6-Dec-2022 FILED: Motion to Extend Answering Brief Deadline; Certificate of Service (Appellee)
18. 7-Dec-2022 ORDERED: Motion to Extend Answering Brief Deadline (Appellee) = GRANTED. Due date EXTENDED from Monday, 12-19-2022 to Thursday, 01-19-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
19. 17-Jan-2023 FILED: Second Motion to Extend Answering Brief Deadline; Certificate of Service (Appellee)
20. 17-Jan-2023 FILED: Notice of Withdrawal as Counsel of Record; Certificate of Service (Appellee)
21. 19-Jan-2023 ORDERED: Second Motion to Extend Answering Brief Deadline (Appellee) = GRANTED. Due date EXTENDED from Thursday, 01-19-2023 to Thursday, 02-09-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
22. 9-Feb-2023 FILED: Appellee State Farm's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
23. 2-Mar-2023 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellee)
24. 2-Mar-2023 FILED: Motion for Oral Argument; Certificate of Service (Appellee)
25. 31-Mar-2023 ORDERED: Motion for Oral Argument (Appellee) = GRANTED. Hon Kent E Cattani - Author
26. 3-Apr-2023 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
27. 14-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
28. 27-Apr-2023 CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 6-8-23, 09:30 am, COURTROOM 2.
29. 28-Apr-2023 FILED: Notice of Oral Argument
30. 3-May-2023 FILED: Return Receipt for Notice of Oral Argument, signed by Mick Levin on 04/28/2023 (Appellant)
31. 12-May-2023 FILED: Notice of Withdrawal of Counsel of Record; Certificate of Service (Appellee)
32. 15-May-2023 FILED: Notice of Change of Law Firms and Address and Email Address; Certificate of Service (Appellee)
33. 19-Jun-2023 FILED: Sign-in Sheet/Case is Under Advisement as of 06/08/2023
34. 15-Aug-2023 OPINION (Affirmed in Part, Vacated in Part, Remanded) Hon James B Morse Jr. - Author; Hon Maria Elena Cruz - Concur; Hon Daniel J Kiley - Concur
35. 15-Aug-2023 FILED: Decision Distribution List
36. 5-Sep-2023 FILED: ASC Order filed 09/05/2023 re: Notice of Association of Counsel and Unopposed Motion for Extension of Time to File Petition for Review denied without prejudice to Appellee's ability to file a compliant motion

Court of Appeals, Division One

Civil Appeal

1 CA-CV 22-0447

STATE FARM v. ORLANDO

41 PROCEEDING ENTRIES

37.	7-Sep-2023	FILED: ASC Order filed 09/07/2023 re: extending time for filing Petition for Review to 10/16/2023
38.	3-Oct-2023	FILED: State Farm's Motion to Correct the Name of its Counsel of Record; Certificate of Service (Appellee)
39.	3-Oct-2023	ORDERED: State Farm's Motion to Correct the Name of its Counsel of Record (Appellee) = GRANTED. FURTHER ORDERED: The Clerk of this Court is directed to amend the Opinion by interlineation as follows: remove the reference to "David W. Bell" and replace with "David M. Bell" on the caption page for counsel of record. Hon James B Morse Jr. - Author
40.	17-Oct-2023	FILED: Email Notice from ASC re: Petition for Review filed 10/16/2023; request for partial record
41.	17-Oct-2023	FILED: Letter forwarding partial record to Arizona Supreme Court