

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 22-0491**

**BUCKS FINANCIAL v. OVERLEY**

**Appellate Case Information**

Case Filed: **4-Aug-2022**

Case Closed:

**Dept/Composition**

**Department D**

Hon. David D Weinzweig  
Hon. Michael S Catlett  
Hon. Maria Elena Cruz

**Side 1. BUCKS FINANCIAL, LLC, Plaintiff/Appellee**

(Litigant Group) BUCKS FINANCIAL, LLC

- Bucks Financial LLC

**Attorneys for: Plaintiff/Appellee**

Joseph J Tirello, Esq. (AZ Bar No. 33371)

**Side 2. CANDY R. OVERLEY, Defendant/Appellant**

(Litigant Group) CANDY R. OVERLEY

- Candy R Overley

PRO SE

**CASE STATUS**

Apr 2, 2024.....Pending Closure

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-005939	Eviction Actions		Richard F Albrecht, Authoring Judge of Order		

**DESCENDENT CASE (S)**

ASC CV-23-0267-PR

**OPEN DUE DATE**

**Stay Request (re: Writ of Certiorari) due**

**Due By:**

Wednesday, April 17, 2024

Re: Minute Letter of ASC: Petition for Review **DENIED**

**CASE DECISION**

**29-Aug-2023 MEMORANDUM DECISION**

Michael Catlett.....Author

David Weinzweig.....Concur

Maria Cruz.....Concur

Filed: **29-Aug-2023**

Mandate:

Decision Disposition

**Affirmed**

**53 PROCEEDING ENTRIES**

- 4-Aug-2022 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/07/22
- 4-Aug-2022 FILED: e-Record on Appeal:  
Instruments/Minute Entries  
Exhibits: None
- 4-Aug-2022 FILED: Appellate Clerk Notice re: Continuing Deferral of Fees for Candy Overley, Appellant.
- 4-Aug-2022 FILED: Appellate Clerk Notice re: Appellant's Fee Deferred/Appellee's Fee Due/Case Management Statement/Brief Due
- 5-Aug-2022 FILED: Amended Appellate Clerk Notice re: Continuing Deferral of Fees for Candy Overley, Appellant
- 12-Aug-2022 ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 09/12/2022. Signed order re: ME of 06/30/2022 filed 07/01/2022 due within 10 days after its entry. If appeal reinstated by filing of signed order before 09/12/2022, case management statement due 09/22/2022, and opening brief due 10/12/2022. Melina Brill ProTem Judge - Author
- 9-Sep-2022 FILED: Appellant's Motion to Continue Stay of Appeal (Appellant Pro Per)

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 22-0491****BUCKS FINANCIAL v. OVERLEY****53 PROCEEDING ENTRIES**

8. 12-Sep-2022 ORDERED: Appellant's Motion to Continue Stay of Appeal (Appellant Pro Per) = GRANTED and continuing stay of appeal until 10/12/2022, for the purposes set forth in this court's 08/12/2022 stay order. FURTHER ORDERED: Appellant shall file motion in superior court for signed order. 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 10/12/2022, unless before that date appellant files motion to continue stay. If appellant does not file motion to continue stay and superior court has not entered signed order, this court may dismiss appeal. FURTHER ORDERED: If court has received signed order before 10/12/2022, case management statement due 10/24/2022, and opening brief due 11/14/2022. Melina Brill ProTem Judge - Author
9. 11-Oct-2022 FILED: Appellant's Notice of Final Signed Judgment by Superior Court (Appellant Pro Per)
10. 12-Oct-2022 FILED: Additional Record on Appeal  
Exhibits:  
Hearing Date 09/07/2022 - List # 1 in a Manila Envelope
11. 24-Oct-2022 FILED: Case Management Statement (Appellant Pro Per)
12. 2-Nov-2022 FILED: Supplemented Superior Court e-Record with Revised Index of Record
13. 8-Nov-2022 FILED: Appellant's First Motion to Extend Time for Filing Opening Brief; Certificate [sic] of Service (Appellant Pro Per)
14. 9-Nov-2022 ORDERED: Appellant's First Motion to Extend Time for Filing Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 11-14-2022 to Monday, 12-05-2022. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15. 5-Dec-2022 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service for Opening Brief (Appellant Pro Per)
16. 5-Dec-2022 FILED: Appellant's [sic] Appendix (Appellant Pro Per)
17. 20-Dec-2022 FILED: Appellant's Notice of Errata to Opening Brief and Motion for Leave to File Substituted Amended Opening Brief (Motion for Procedural Order); Certificate of Service; Exhibit A; Exhibit B (Appellant Pro Per)
18. 11-Jan-2023 ORDERED: Appellant's Notice of Errata to Opening Brief and Motion for Leave to File Substituted Amended Opening Brief (Motion for Procedural Order) (Appellant Pro Per) = GRANTED in part and accepting the amended opening brief, attached as Exhibit B to notice of errata, filed 12/20/2022, in place of the brief filed 12/05/2022. The answering brief remains due 01/17/2023. Melina Brill ProTem Judge - Author
19. 17-Jan-2023 FILED: Motion for Procedural Order - For Extension of Time (Answering Brief); (Certificate of Service) Motion for Procedural Order - For Extension of Time (Answering Brief) (Appellee)
20. 18-Jan-2023 ORDERED: Motion for Procedural Order - For Extension of Time (Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 01-17-2023 to Wednesday, 02-15-2023. 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
21. 20-Jan-2023 RECEIPT No.: 2023-00071 ; \$140.00, Authorization: #20006688621, Applied to: BUCKS FINANCIAL, LLC - Class B Filing Fee (\$140.00) Paid for: ZBS Law LLP - By nCourt LLC
22. 15-Feb-2023 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
23. 15-Feb-2023 FILED: Appellee's Index (Appellee)
24. 28-Feb-2023 FILED: Appellant's Motion to Extend Time for Filing Reply Brief; Certificate of Service (Appellant Pro Per)
25. 1-Mar-2023 FILED: Response in Opposition to Appellant's Motion to Extend Time for Filing Reply Brief; (Certificate of Service) Response in Opposition to Appellant's Motion to Extend Time for Filing Reply Brief (Appellee)
26. 2-Mar-2023 ORDERED: Appellant's Motion to Extend Time for Filing Reply Brief (Appellant Pro Per) = DENIED as to the request to obtain and file transcripts. FURTHER ORDERED: Granting the motion in part and extending the time to file the reply brief from 03/07/2023 to 03/27/2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Hon Kent E Cattani - Author
27. 5-Mar-2023 FILED: Appellant's Reply In Support Of Motion To Extend Time For Filing Reply Brief; Certificate of Service (Appellant)
28. 5-Mar-2023 FILED: Appellant's Motion For Additional Transcripts; Certificate of Service (Appellant)
29. 6-Mar-2023 ORDERED: Vacating the 03/27/2023 due date for the reply brief. The order ruling on the pending Motion for Additional Transcripts will set a due date to file the reply brief. Melina Brill ProTem Judge - Author
30. 10-Mar-2023 FILED: Reporter's Transcript - 07/01/2015 - Oral Argument (Kimberly McCright) (Appellant Pro Per)

[stricken per order filed 04/03/2023]

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31.	10-Mar-2023	FILED: Reporter's Transcript - 09/10/2015 - Oral Argument (Kimberly McCright) (Appellant Pro Per) [stricken per order filed 04/03/2023]
32.	10-Mar-2023	FILED: Reporter's Transcript - 01/28/2016 - Trial (Kimberly McCright) (Appellant Pro Per) [stricken per order filed 04/03/2023]
33.	15-Mar-2023	FILED: Appellee's Limited Opposition For Additional Transcripts; Certificate of Service (Appellee)
34.	21-Mar-2023	RECEIPT No.: 2023-00279 ; \$140.00, Authorization: #8000631184, Applied to: BUCKS FINANCIAL, LLC - Overpayment Class B (\$140.00) Paid for: ZBS Law LLP - By nCourt LLC (Memo: overpayment)
35.	22-Mar-2023	FILED: Appellants Reply in Support of Motion for Additional Transcripts; Certificate of Service (Appellant)
36.	3-Apr-2023	ORDERED: Appellant's Motion For Additional Transcripts (Appellant) = DENIED. FURTHER ORDERED: Striking the transcripts of the 07/01/2015, 09/10/2015, and 01/28/2016 proceedings filed in this court on 03/10/2023. FURTHER ORDERED: The reply brief is due on 04/20/2023. Hon Kent E Cattani - Author
37.	20-Apr-2023	FILED: Letter dated 04/20/2023 to Joseph Tirello from Court re: enclosing check # 113179 in the amount of \$140.00 for refund of monies submitted in error
38.	20-Apr-2023	FILED: Appellant's Reply Brief; Appellant's Certificate of Compliance for Reply Brief; Appellant's Certificate of Service for Reply Brief (Appellant Pro Per)
39.	28-Apr-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
40.	3-May-2023	FILED: Appellant's Motion to Schedule Oral Argument; Certificate of Service (Appellant Pro Per)
41.	5-May-2023	ORDERED: Appellant's Motion to Schedule Oral Argument (Appellant Pro Per) = DENIED. Hon Kent E Cattani - Author
42.	5-May-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
43.	30-May-2023	CLNDR: CONFERENCE, Department D, 8-16-23, COURTROOM 1.
44.	29-Aug-2023	MEMORANDUM DECISION (Affirmed) Hon Michael S Catlett - Author; Hon David D Weinzwieg - Concur; Hon Maria Elena Cruz - Concur
45.	29-Aug-2023	FILED: Memorandum Decision Distribution List
46.	13-Sep-2023	FILED: Appellant's Motion for Reconsideration; Appellant's Certificate of Compliance for Motion for Reconsideration; Appellant's Certificate of Service for Motion for Reconsideration; Exhibit A (Appellant Pro Per)
47.	14-Sep-2023	FILED: Affidavit from Superior Court of Maricopa County re: CV2015-004515 (Appellant Pro Per)
48.	15-Sep-2023	FILED: Appellant's Motion to Accept, [sic] Supporting Affidavit, [sic] as Timely; Certificate of Service (Appellant Pro Per)
49.	10-Oct-2023	ORDERED: Appellant's Motion to Accept, [sic] Supporting Affidavit, [sic] as Timely (Appellant Pro Per) = GRANTED. FURTHER ORDERED: Appellant's Motion for Reconsideration (Appellant Pro Per) = DENIED. Hon Michael S Catlett - Author
50.	27-Oct-2023	FILED: Email Notice from ASC re: Petition for Review filed 10/25/2023; request for partial record
51.	27-Oct-2023	FILED: Letter forwarding partial record to Arizona Supreme Court
52.	30-Oct-2023	FILED: ASC Order filed 10/30/2023 re: Notice of Continuing Fee Deferral for Appellant Pro Per
53.	2-Apr-2024	FILED: Letter from ASC, 04/02/2024, re: Petition for Review DENIED on 04/02/2024. FURTHER ORDERED: Request for Attorneys' Fees (Appellant Overley, Pro Se) = DENIED.