

Court of Appeals, Division One

Civil Appeal

1 CA-CV 22-0710

WOOD v. COCONINO

Appellate Case Information

Case Filed: 28-Nov-2022

Case Closed:

Dept/Composition

Department A

Hon. Randall M Howe
Hon. Jennifer M Perkins
Hon. Daniel J Kiley

Side 1. In re the Matter of:

ANNETTE WOOD,

An Adult., Appellant

(Litigant Group) ANNETTE WOOD

- Annette Wood

Attorneys for: Appellant

Joseph Adam Carver, Esq. (AZ Bar No. 26212)

Side 2. COCONINO COUNTY PUBLIC FIDUCIARY, Appellee

(Litigant Group) COCONINO COUNTY PUBLIC FIDUCIARY

- Coconino County Public Fiduciary

Attorneys for: Appellee

William P Ring, Esq. (AZ Bar No. 12860)

Heather A Mosher, Esq. (AZ Bar No. 26250)

Side 3. OFFICE OF THE ARIZONA

ATTORNEY GENERAL, ET AL., Amicus Curiae

(Litigant Group) OFFICE OF THE ARIZONA
ATTORNEY GENERAL

- Arizona Attorney General's Office

Attorneys for: Amicus Curiae

Joshua D. Bendor, Esq. (AZ Bar No. 31908)

Clinton N Garrett, Esq. (AZ Bar No. 22457)

(Litigant Group) ARIZONA CENTER FOR LAW IN THE PUBLIC INTEREST

- Arizona Center for Law in the Public Interest

Attorneys for: Amicus Curiae (ACLPI)

Daniel J Adelman, Esq. (AZ Bar No. 11368)

Anne C Ronan, Esq. (AZ Bar No. 6041)

Nicholas Ansel, Esq. (AZ Bar No. 38448)

(Litigant Group) DISABILITY RIGHTS ARIZONA

- Disability Rights Arizona

Attorneys for: Amicus Curiae ACDL

Maya S Abela, Esq. (AZ Bar No. 27232)

Tamaraingsey In, Esq. (AZ Bar No. 35208)

CASE STATUS

Nov 14, 2023....Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
CON S0300GC202200040	Petition for Appointment of Guardian		Stacy Lynn Krueger, Authoring Judgment of Order		

42 PROCEEDING ENTRIES

- 4-Nov-2022 FILED: Copy of Clerk's Notice to Counsel and/or Parties filed in Coconino County Superior Court on 11/01/2022
- 28-Nov-2022 FILED: Index of Record, Notice of Appeal from Coconino County Superior Court filed 9/9/22 and 10/26/22
- 28-Nov-2022 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None
- 29-Nov-2022 FILED: Appellate Clerk Notice re: No Fee's Due/Case Management Statement/Brief Due

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5. 7-Dec-2022 ORDERED: Staying this appeal until 1/20/23. FURTHER ORDERED revesting jurisdiction in the Coconino County Superior Court and authorizing that court to consider a motion for a signed order with Rule 54(c) finality language. FURTHER ORDERED directing the clerk of the Coconino County Superior Court to transmit a certified copy of the ruling within 10 days after its entry. The stay will be lifted automatically when this court receives the signed Rule 54(c) order. FURTHER ORDERED: if superior court has not entered a signed Rule 54(c) order by 1/20/23 appellant must file a motion to continue the stay of this appeal that describes the status of the matter. If appellant does not file a motion to continue the stay and the superior court has not entered a signed Rule 54(c) order, this court will dismiss this appeal. FURTHER ORDERED that if this court has received a signed Rule 54(c) order before 1/20/23, the case management statement is due 1/30/23 and the opening brief is due 2/21/23. Melina Brill ProTem Judge - Author
6. 30-Dec-2022 FILED: Notice Regarding Rule 54(c) Order; Certificate of Service; Copy of Order filed in Coconino County Superior Court on 12/08/2022 (Appellant)
7. 30-Dec-2022 FILED: Notice of Filing--Transcript; Certificate of Service; Reporter's Transcript - 07/06/2022 - Evidentiary Hearing (Amanda Willey) (Appellant)

[Transcript stricken per order filed 01/04/2023]
8. 4-Jan-2023 ORDERED: Striking the transcript. Melina Brill ProTem Judge - Author
9. 6-Jan-2023 FILED: Notice of Filing; Certificate of Service; Reporter's Transcript - 07/06/2022 - Evidentiary Hearing (Amanda Willey) (Appellant)
10. 30-Jan-2023 FILED: Case Management Statement (Appellant)
11. 21-Feb-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
12. 21-Feb-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
13. 29-Mar-2023 FILED: Motion for Extension of Time to File Response Brief; Certificate of Service (Appellee)
14. 30-Mar-2023 ORDERED: Motion for Extension of Time to File Response Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 04-03-2023 to Wednesday, 05-03-2023. 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
15. 3-May-2023 FILED: Appellee's Answering Brief Coconino County Public Fiduciary; Certificate of Compliance; Certificate of Service (Appellee)
16. 23-May-2023 FILED: Notice of No Intent to File Reply Brief; Certificate of Service (Appellant)
17. 22-Jun-2023 ORDERED: The Arizona Attorney General's Office, and others listed above, if they wish, have until 07/24/2023, in which to file a brief in response to Appellant's opening brief in compliance with ARCAP 13(b) and 14. FURTHER ORDERED: Appellant may file a reply brief, in compliance with ARCAP 13(c) and 14, no later than 15 days after any such response brief is filed. FURTHER ORDERED: Upon receipt of such additional briefing, this Court may resolve the appeal without further notice to the parties. Hon James B Morse Jr. - Author
18. 29-Jun-2023 CLNDR: CONFERENCE, Department A, 8-16-23, COURTROOM 2.
19. 12-Jul-2023 ORDERED: Arizona Attorney General's Office, Speaker of the Arizona House of Representatives, and President of the Arizona Senate, have until 08/17/2023 in which to file a brief in response to Appellant's opening brief. FURTHER ORDERED: Appellant may file a reply brief no later than 15 days after such response brief is filed. FURTHER ORDERED: Vacating conference set on 08/16/2023, and resetting it to 10/10/2023. Oral argument may be scheduled at a later date. Hon Randall M Howe - Author
20. 19-Jul-2023 FILED: Motion for Clarification Regarding Amicus Briefs; Certificate of Service (Amicus Curiae for ACDL and ACLPI)
21. 26-Jul-2023 FILED: Response to Motion for Clarification; Certificate of Service (Appellant)
22. 7-Aug-2023 ORDERED: Motion for Clarification Regarding Amicus Briefs (Amicus Curiae for ACDL and ACLPI) = The final day that appellant may file a reply brief in this matter is 09/01/2023. Therefore, amicus curiae may file briefs no later than 09/22/2023. Hon Randall M Howe - Author
23. 17-Aug-2023 FILED: Attorney General's Response Brief; Certificate of Compliance; Certificate of Service (Amicus Curiae)
24. 1-Sep-2023 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
25. 22-Sep-2023 FILED: Brief of Amici Curiae Arizona Center for Law in the Public Interest, Marsha Goodman, Robert B. Fleming, and Eliza Daley Read in Support of Appellant Filed With Consent; Certificate of Compliance; Certificate of Service; (Untitled) Email re Consent to File (Amicus Curiae ACLPI)
26. 22-Sep-2023 FILED: Brief of Amicus Curiae Arizona Center For Disability Law in Support of Appellant Filed with Consent; Certificate of Compliance; Certificate of Service; (Untitled) Email re Consent to File (Amicus Curiae ACDL)

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27.	27-Sep-2023	ORDERED: Vacating conference set for 10/10/2023 and resetting it to 11/14/2023. FURTHER ORDERED: Setting oral argument for 11/14/2023 at 11:15am before Department A, Courtroom 1. Hon Randall M Howe - Author
28.	13-Oct-2023	FILED: Motion for Procedural Order (Withdraw and Replace Answering Brief); Certificate of Service (Appellee)
29.	13-Oct-2023	FILED: Notice Of Substitution Of Counsel; Certificate of Service (Appellee)
30.	13-Oct-2023	ORDERED: In addition to the arguments the parties wish to advance, counsel should be prepared to address the effect, if any, of the above-referenced provisions (see order) and the status of the case in light of the review hearing. Hon Randall M Howe - Author
31.	16-Oct-2023	ORDERED: Motion for Procedural Order (Withdraw and Replace Answering Brief) (Appellee) = GRANTED and withdrawing the answering brief filed 05/03/2023. Appellee has until 10/25/2023 to file a new answering brief. FURTHER ORDERED Appellant may file a reply to the answering brief by 11/08/2023. Amici may file a response by 11/08/2023. Hon Randall M Howe - Author
32.	25-Oct-2023	FILED: Appellee's Answering Brief (Substituted Answering Brief); Certificate of Compliance; Certificate of Service (Appellee)
33.	30-Oct-2023	FILED: Return Receipt for Notice of Oral Argument, signed by William Ring on 10/09/2023 (Appellee)
34.	4-Nov-2023	FILED: Return Receipt for Notice of Oral Argument, signed by Joseph Carver on 09/27/2023 (Appellant)
35.	8-Nov-2023	FILED: Brief of Amici Curiae Arizona Center for Law in the Public Interest, Marsha Goodman, Robert B. Fleming, and Eliza Daley Read in Response to Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Amicus Curiae ACLPI)
36.	8-Nov-2023	FILED: Appellant's Reply to Appellee's Answering Brief (Optional Appellant Reply to new Answering Brief); Certificate of Compliance; Certificate of Service (Appellant)
37.	8-Nov-2023	FILED: Brief of Amicus Curiae Arizona Center for Disability Law in Response to Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Amicus Curiae ACDL)
38.	9-Nov-2023	FILED: Motion to Supplement the Record; Certificate of Service (Appellee)
39.	13-Nov-2023	ORDERED: Motion to Supplement the Record (Appellee) = GRANTED. The Clerk of the Coconino County Superior Court must transmit to this Court the "Petition for Approval of Annual Report of Guardian for the Period of 07/06/2022 to 07/05/2023, and Lodging of Proposed Order" filed on 09/08/2023. The supplement must be sealed. Hon Randall M Howe - Author
40.	16-Nov-2023	FILED: Sign-in Sheet/Case is Under Advisement (as of 11/14/23)
41.	30-Apr-2024	FILED: Notice of Firm Name and Address Change; Certificate of Service (Amicus Curiae Disability Rights Arizona)
42.	30-Apr-2024	FILED: Notice of Supplemental Legal Authority; Certificate of Service (Amicus Curiae Disability Rights Arizona)