

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0020

HOENACK v. GANNETT

Appellate Case Information

Case Filed: 10-Jan-2023

Case Closed:

Dept/Composition

Department C

Hon. D Steven Williams
Hon. Samuel A Thumma
Hon. Paul J McMurdie

Side 1. AUGUST JEREMY HOENACK, Plaintiff/Appellant

(Litigant Group) AUGUST JEREMY HOENACK

- August Jeremy Hoenack

PRO SE

Side 2. GANNETT CO., INC., et al., Defendant/Appellee

(Litigant Group) GANNETT CO, INC., et al.

- Gannett Co Inc
- Phoenix Newspapers Inc
- Taylor Breigh Seely

Attorneys for: Defendants/Appellees

David Jeremy Bodney, Esq. (AZ Bar No. 6065)

Matthew E Kelley, Esq. (AZ Bar No. 37353)

Kennison Lay, Esq. (AZ Bar No. 37098)

CASE STATUS

Jan 17, 2024....Pending in ASC

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-003864	Slander/Libel/Defamation		John R Hannah, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-23-0297-PR

CASE DECISION

16-Nov-2023 MEMORANDUM DECISION

Samuel Thumma.....Author

D Williams.....Concur

Paul McMurdie.....Concur

Filed: 16-Nov-2023

Mandate:

Decision Disposition

Affirmed

29 PROCEEDING ENTRIES

- 10-Jan-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 12/12/22
- 10-Jan-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 10-Jan-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 24-Jan-2023 FILED: Case Management Statement (Appellant Pro Per)
- 27-Jan-2023 RECEIPT No.: 2023-00100 ; \$280.00, Authorization: #27009969023, Applied to: AUGUST JEREMY HOENACK - Class A Filing Fee (\$280.00) Paid for: AUGUST JEREMY HOENACK - By nCourt LLC
- 6-Feb-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
- 6-Feb-2023 ORDERED: Staying this appeal until 03/08/2023. FURTHER ORDERED: Revesting jurisdiction in the Maricopa County Superior Court and authorizing that court to consider the pending motion to alter or amend. This court does not express an opinion regarding the merits of that motion. FURTHER ORDERED: Directing appellant to file a notice in this court with a copy of the ruling within 10 days after its entry. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: If the superior court has not ruled on the motion to alter or amend by 03/08/2023, appellant must file a notice in this court regarding the status of the motion. FURTHER ORDERED: Vacating the 03/13/2023 due date for the opening brief. The court will address the briefing schedule after the superior court rules on the pending motion. Melina Brill ProTem Judge - Author

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0020****HOENACK v. GANNETT****29 PROCEEDING ENTRIES**

8.	8-Feb-2023	FILED: Notice to the Court of Ruling on Motion to Alter or Amend Judgement; (Certificate of Service) Notice to the Court of Ruling on Motion to Alter or Amend Judgement; Exhibit 1 Proposed Order Denied (Appellant Pro Per)
9.	10-Feb-2023	ORDERED: Continuing the stay of this appeal until 03/08/2023, for the purposes set forth in this court's 02/06/2023 stay order. FURTHER ORDERED: Within 10 days of the superior court ruling on the motion, appellant must file a notice of the ruling in this court. FURTHER ORDERED: If the superior court has not ruled on the motion by 03/08/2023, appellant shall file a notice of the status of the motion in this court. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. Melina Brill ProTem Judge - Author
10.	17-Feb-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
11.	21-Mar-2023	ORDERED: Extending the time until 03/30/2023, for appellant to file a notice concerning the Motion to Alter or Amend Judgment. If a notice is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
12.	25-Mar-2023	FILED: Notice to the Court of Withdrawal of Motion to Alter or Amend Judgment; Notice to the Court of Withdrawal of Motion to Alter or Amend Judgment (Certificate of Service); Exhibit 1 (Appellant Pro Per)
13.	29-Mar-2023	ORDERED: Continuing the stay of this appeal until 04/18/2023 to allow the superior court to enter an order disposing of the motion to alter or amend. FURTHER ORDERED: Within 10 days after entry of an order disposing of the motion to alter or amend, appellant must file a notice of the ruling in this court. FURTHER ORDERED: If the superior court has not issued an order by 04/18/2023, appellant shall file a notice of the status of the superior court proceedings in this court. Melina Brill ProTem Judge - Author
14.	12-Apr-2023	FILED: Notice to the Court of Entry of Order disposing Motion to Alter or Amend Judgment; Notice to the Court of Entry of Order disposing Motion to Alter or Amend Judgment (Duplicate); Copy of Maricopa County Superior Court ME filed 04/03/2023 re: Ruling on Motion to Alter or Amend Judgement (Appellant Pro Per)
15.	14-Apr-2023	ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: The opening brief is due on 05/15/2023. Melina Brill ProTem Judge - Author
16.	18-Apr-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
17.	15-May-2023	FILED: Plaintiff's Opening Brief; Plaintiff's Opening Brief (Certificate of Compliance); Plaintiff's Opening Brief (Certificate of Service) (Appellant Pro Per)
18.	16-May-2023	FILED: Certificate of Compliance (corrected); Certificate of Service (Appellant Pro Per)
19.	26-Jun-2023	FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
20.	30-Jun-2023	RECEIPT No.: 2023-00580 ; \$140.00, Authorization: # 81003563273, Applied to: GANNETT CO, INC., et al. - Class B Filing Fee (\$140.00) Paid for: Ballard Spahr LLP - By nCourt LLC
21.	13-Jul-2023	FILED: Appellant's Reply; Appellant's Reply (Certificate of Compliance) (Duplicate); Appellant's Reply (Certificate of Service) (Duplicate) (Appellant Pro Per)
22.	31-Jul-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
23.	10-Aug-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
24.	25-Aug-2023	CLNDR: CONFERENCE, Department C, 10-11-23, COURTROOM 1.
25.	16-Nov-2023	MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon D Steven Williams - Concur; Hon Paul J McMurdie - Concur
26.	16-Nov-2023	FILED: Memorandum Decision Distribution List
27.	19-Dec-2023	FILED: ASC order filed 12/19/2023 re: extending time for filing Petition for Review to 01/16/2024
28.	17-Jan-2024	FILED: Email Notice from ASC re: Petition for Review filed 01/12/2024; request for partial record
29.	17-Jan-2024	FILED: Letter forwarding partial record to Arizona Supreme Court