

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 23-0256 FC

WHITT v. MEZA

Appellate Case Information

Case Filed: 11-May-2023

Case Closed: 5-Apr-2024

Decision

Dept/Composition

Department C

Hon. Paul J McMurdie
Hon. Maria Elena Cruz
Hon. Cynthia J Bailey

Side 1. In re the Matter of:

KATHERINE WHITT, Petitioner/Appellee

(Litigant Group) KATHERINE WHITT

- Katherine Whitt

Attorneys for: Petitioner/Appellee

Stanley D Murray, Esq. (AZ Bar No. 7208)

Side 2. MARCO MEZA, Respondent/Appellant

(Litigant Group) MARCO MEZA

- Marco Meza

Attorneys for: Respondent/Appellant

Bryce Johnson, Esq. (AZ Bar No. 34709)

Robert Hendricks, Esq. (AZ Bar No. 30584)

Stephen Vincent, Esq. (AZ Bar No. 30779)

CASE STATUS

Apr 5, 2024.....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR FC2021-003483	Motion to Reconsider Alter or Amend Relief from Decree of 12/20/22		Daniel G Martin, Authoring Judge of Order		

2 CASE DECISIONS

27-Feb-2024 OPINION

Paul McMurdie.....Author
Cynthia Bailey.....Concur
Maria Cruz.....Concur

Filed: 27-Feb-2024

Mandate: 05-Apr-2024

Decision Disposition

Affirmed in Part

Vacated

Remanded in Part

27-Feb-2024 MEMORANDUM DECISION

Paul McMurdie.....Author
Cynthia Bailey.....Concur
Maria Cruz.....Concur

Filed: 27-Feb-2024

Mandate: 05-Apr-2024

Decision Disposition

Affirmed in Part

Vacated

Remanded in Part

34 PROCEEDING ENTRIES

- 11-May-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/13/23
- 11-May-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: Hearing Date 9/27/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 29, 35, 37, 43, 44
Hearing Date 5/11/23 39 part 1 39 part 2
- 11-May-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 15-May-2023 FILED: Notice of Payment of Appellant's Filing Fee; Certificate of Service Re: Notice of Payment of Appellant's Filing Fee (Appellant)

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5.	19-May-2023	RECEIPT No.: 2023-00453 ; \$280.00, Authorization: 39004748050, Applied to: MARCO MEZA - Class A Filing Fee (\$280.00) Paid for: State 48 Law Firm - By nCourt LLC
6.	22-May-2023	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
7.	25-May-2023	ORDERED: (per Sorensen v. Farmers) staying appeal until 06/26/2023. Signed order with certification of finality pursuant to Rule 78(c) due within 10 days after its entry. If appeal reinstated by filing of signed order, opening brief due 07/26/2023 and the case management statement is due 07/06/2023. Melina Brill ProTem Judge - Author
8.	31-May-2023	FILED: Notice of Filing Trial Court Transcript (Reporter's Transcript - 09/27/2022 - Trial (Kimberly McCright)); Certificate of Service Re: Notice of Filing Trial Court Transcript (Appellant)
9.	2-Jun-2023	FILED: Notice of Appearance as Attorney for Appellee; Certificate of Service (Appellee)
10.	8-Jun-2023	RECEIPT No.: 2023-00502 ; \$140.00, Authorization: #59012381599, Applied to: KATHERINE WHITT - Class B Filing Fee (\$140.00) Paid for: The Murray Law Offices PC - By nCourt LLC
11.	23-Jun-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
12.	26-Jun-2023	FILED: Motion to Continue Stay of Appeal; Certificate of Service Re: Motion to Continue Stay of Appeal (Appellant)
13.	27-Jun-2023	ORDERED: Motion to Continue Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 07/27/2023, for the purposes set forth in this court's 05/25/2023 stay order. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the ruling within 10 days after its entry, marked for filing in this appeal. The stay will be lifted automatically when this court receives the signed Rule 78(c) judgment and the signed order. FURTHER ORDERED: The stay will be lifted automatically on 07/27/2023, unless before that date appellant files a motion to continue the stay. If appellant does not file a motion to continue the stay and the superior court has not entered a signed Rule 78(c) judgment and a signed order, this court will dismiss this appeal. FURTHER ORDERED: If this court has received a signed Rule 78(c) judgment and a signed order before 07/27/2023, the case management statement is due by 08/07/2023, and the opening brief is due by 08/28/2023. Barbara Vidal Vaught ProTem Judge - Author
14.	10-Jul-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
15.	12-Jul-2023	FILED: Notice of Trial Court Issuing Compliant Rule 78(c) Language and Motion to Lift Stay; Certificate of Service Re: Notice of Trial Court Issuing Compliance Rule 78(c) Language and Motion to Lift Stay (Appellant)
16.	13-Jul-2023	ORDERED: Notice of Trial Court Issuing Compliant Rule 78(c) Language and Motion to Lift Stay (Appellant) = Lifting the stay of this appeal. Case management statement due by 08/07/2023, and opening brief due by 08/28/2023. Barbara Vidal Vaught ProTem Judge - Author
17.	7-Aug-2023	FILED: Case Management Statement (Appellant)
18.	28-Aug-2023	FILED: Opening Brief; Certificate of Compliance Re: Opening Brief; Certificate of Service Re: Opening Brief (Appellant)
19.	28-Sep-2023	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
20.	18-Oct-2023	FILED: Reply Brief; Certificate of Compliance Re: Reply Brief; Certificate of Service Re: Reply Brief (Appellant)
21.	30-Oct-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
22.	9-Nov-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
23.	24-Nov-2023	CLNDR: CONFERENCE, Department C, 1-17-24, COURTROOM 1.
24.	27-Feb-2024	MEMORANDUM DECISION (Affirmed in Part, Vacated, Remanded in Part) Hon Paul J McMurdie - Author; Hon Cynthia J Bailey - Concur; Hon Maria Elena Cruz - Concur
25.	27-Feb-2024	OPINION (Affirmed in Part, Vacated, Remanded in Part) Hon Paul J McMurdie - Author; Hon Cynthia J Bailey - Concur; Hon Maria Elena Cruz - Concur
26.	27-Feb-2024	FILED: Decision Distribution Notification
27.	28-Feb-2024	FILED: Affidavit of Appellee's Attorney's Fees; Certificate of Service (Appellee)
28.	1-Mar-2024	FILED: Statement of Costs; Certificate of Service Re: Statement of Costs (Appellant)
29.	1-Mar-2024	FILED: Respondent/Appellant Objection to Affidavit of Appellee's Attorney's Fees; Certificate of Service re Respondent/Appellant Objection to Affidavit of Appellee's Attorney's Fees (Appellant)
30.	4-Mar-2024	FILED: Reply to Respondent/Appellant's Objection to Affidavit of Appellee's Attorney's Fees; Certificate of Service (Appellee)

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34 PROCEEDING ENTRIES

31.	19-Mar-2024	ORDERED: Statement of Costs (Appellant) = GRANTED and awarding Appellant \$961.69 in costs. Hon Paul J McMurdie - Autho
32.	19-Mar-2024	ORDERED: Affidavit of Appellee's Attorney's Fees (Appellee) = GRANTED and awarding Appellee attorney's fees in the amount of \$4,235. Hon Paul J McMurdie - Author
33.	20-Mar-2024	ORDERED: Amending the 03/19/2024 order by changing the order's title to: "ORDER AWARDING COSTS" and awarding \$961.96 in costs to Appellant. Hon Paul J McMurdie - Author
34.	5-Apr-2024	FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.