

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 23-0462 FC****DUNCAN v. DUNCAN****Appellate Case Information**

Case Filed: 28-Jul-2023

Case Closed:

Dept/Composition**Side 1. In re the Marriage of:****MARIA DUNCAN, Petitioner/Appellee****(Litigant Group) MARIA DUNCAN**

• Maria Duncan

PRO SE

Side 2. NEAL FOSTER DUNCAN, Respondent/Appellant**(Litigant Group) NEAL FOSTER DUNCAN**

• Neal Foster Duncan

PRO SE

CASE STATUS**Apr 11, 2024.....Decision Rendered**

| PREDECESSOR CASE(S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|---------------------|---|-------------------|-------------------------------------|-------|-------|
| MAR FC2021-004125 | Petition for Dissolution of a Non-Covenant Marriage with Minor Children | | Max Covil, Authoring Judge of Order | | |

OPEN DUE DATE**Petition for Review to ASC due****Due By:****Monday, May 13, 2024***Re: ORDERED: Dismissing this appeal. Melina Brill ProTem Judge - Author***CASE DECISION****11-Apr-2024 ORDER**

ORDERED: Dismissing this appeal.

Filed: **11-Apr-2024**

Mandate:

Melina Brill.....Author

Decision Disposition

Dismissed**27 PROCEEDING ENTRIES**

- 28-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/30/23
- 28-Jul-2023 FILED: e-Record on Appeal: Instruments/Minute Entries
Exhibits: Hearing Date 4/10/23 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 19, 20, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 44, 52
- 28-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 18-Aug-2023 FILED: Expedited Motion for Procedural Order Extending Time to Submit Filing Fee and Case Management Statement; Certificate of Service for Expedited Motion for Procedural Order (Appellant)
- 18-Aug-2023 ORDERED: Expedited Motion for Procedural Order Extending Time to Submit Filing Fee and Case Management Statement (Appellant) = GRANTED and accepting the filing fee paid on 08/18/2023. FURTHER ORDERED: Extending the time to file the case management statement from 08/17/2023 to 08/25/2023. If the case management statement is not timely filed, the court will consider imposing sanctions, which may include dismissing this appeal. Melina Brill ProTem Judge - Author
- 21-Aug-2023 FILED: Motion for Procedural Order Staying Appeal; Certificate of Service for Motion for Procedural Order Staying Appeal (Appellant)
- 21-Aug-2023 FILED: Motion for Procedural Order Extending Time to Submit Transcript and File Opening Brief; Certificate of Service for Motion for Procedural Order Extending Time to Submit Transcript and File Opening Brief (Appellant)

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8. 21-Aug-2023 ORDERED: Motion for Procedural Order Extending Time to Submit Transcript and File Opening Brief (Appellant) = GRANTED in part and extending the time to file the transcript to 09/20/2023. FURTHER ORDERED: Vacating the 09/26/2023 due date for the opening brief. The order ruling on the pending motion to stay will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
9. 23-Aug-2023 RECEIPT No.: 2023-00805 ; \$280.00, Authorization: #35009191254, Applied to: NEAL FOSTER DUNCAN - Class A Filing Fee (\$280.00) Paid for: Adam C Rieth PLLC - By nCourt LLC
10. 23-Aug-2023 FILED: Case Management Statement (Appellant)
11. 28-Aug-2023 FILED: Reporter's Transcript - 04/10/2023 - Trial (Kimberly McCright) (Appellant)
12. 28-Aug-2023 FILED: Notice of Filing and Service of Transcript; Certificate of Service for Notice of Filing and Service of Transcript (Appellant)
13. 1-Sep-2023 FILED: Notice of Withdrawal as Attorney of Record; Certificate of Service (Appellee)
14. 5-Sep-2023 FILED: Response to Motion for Procedural Order Staying Appeal; Certificate of Service for Response to Motion for Procedural Order Staying Appeal (Appellee Pro Per)
15. 6-Sep-2023 RECEIPT No.: 2023-00855 ; \$140.00, Authorization: # 49013713465, Applied to: MARIA DUNCAN - Class B Filing Fee (\$0.00), Overpayment Class B (\$140.00) Paid for: Barreda Law PLLC - By nCourt LLC
16. 6-Sep-2023 RECEIPT No.: 2023-00858 ; \$140.00, Authorization: # 49013713465, Applied to: MARIA DUNCAN - Class B Filing Fee (\$140.00) Paid for: Barreda Law PLLC - By nCourt LLC (Memo: X-Ref 2023-00855)
17. 6-Sep-2023 VOID RECEIPT No.: 2023-00855 - \$-140.00, Authorization: # 49013713465, - Applied to: MARIA DUNCAN - Class B Filing Fee (\$0.00), Overpayment Class B (\$-140.00) Paid for: Barreda Law PLLC - By: nCourt LLC VOID Reason: X-Ref: 2023-00858. incorrect receivable. ala.
18. 8-Sep-2023 RECEIPT No.: 2023-00864 ; \$140.00, Authorization: #51012656606, Applied to: MARIA DUNCAN - Overpayment Class B (\$140.00) Paid for: MARIA DUNCAN - By nCourt LLC (Memo: overpayment class B filing fee)
19. 12-Sep-2023 FILED: Reply to Response to Motion for Procedural Order Staying Appeal; Certificate of Service for Reply to Response to Motion for Procedural Order Staying Appeal (Appellant)
20. 13-Sep-2023 ORDERED: Notice of Withdrawal as Attorney of Record (Appellee) = GRANTED. FURTHER ORDERED: Motion for Procedural Order Staying Appeal (Appellant) = GRANTED and staying this appeal until 10/30/2023. FURTHER ORDERED: If the superior court has not ruled on the petition by 10/30/2023, appellant must file a notice in this court regarding the status of the superior court proceedings. Melina Brill ProTem Judge - Author
21. 12-Oct-2023 FILED: Letter dated 10/12/2023 to Maria Duncan from Court re: enclosing check # 113470 in the amount of \$140.00 for refund of monies submitted in error
22. 30-Oct-2023 FILED: Notice of Status of Pending Petition in Superior Court; Certificate of Service for Notice of Status of Pending Petition in Superior Court (Appellant)
23. 15-Nov-2023 FILED: Notice of Withdrawal as Attorney of Record for Appellant; Certificate of Service of Notice of Withdrawal as Attorney of Record for Appellant (Appellant)
24. 16-Nov-2023 ORDERED: Continuing the stay of this appeal until 12/15/23. FURTHER ORDERED: Stay will be lifted automatically on 12/15/23 unless before that date appellant files a motion to continue the stay. 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 superior court grants the petition the notice should indicate whether appellant intends to pursue this appeal. FURTHER ORDERED: If a party wants this court to review any additional rulings, the party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: If superior court has not ruled on petition by 12/15/23, appellant must file a notice in this court regarding the status of the superior court proceedings. Melina Brill ProTem Judge - Author
25. 1-Dec-2023 ORDERED: Notice of Withdrawal as Attorney of Record for Appellant (Appellant) = GRANTED. FURTHER ORDERED: Continuing the stay of this appeal to 2/22/24 for the purposes set forth in this court's 9/13/23 order. FURTHER ORDERED: Stay will be lifted automatically on 2/22/24 unless before that date appellant files a motion to continue the stay. 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 superior court grants the petition the notice should indicate whether appellant intends to pursue this appeal. 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 petition by 2/22/24, appellant must file a notice in this court regarding the status of the superior court proceedings. Melina Brill ProTem Judge - Author
26. 1-Mar-2024 ORDERED: Affirming that the stay of this appeal is lifted. FURTHER ORDERED: The opening brief is due by 04/01/2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
27. 11-Apr-2024 ORDERED: Dismissing this appeal. Melina Brill ProTem Judge - Author

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