

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0146

IN RE TERM OF PARENTAL RIGHTS AS TO M.D.

Appellate Case Information

Case Filed: 18-Jul-2023

Case Closed: 8-Apr-2024

Decision

Dept/Composition

Department B

Hon. Andrew M Jacobs
Hon. Jennifer M Perkins
Hon. David D Weinzwieg

Side 1. MICHAEL D., Appellant

(Litigant Group) MICHAEL D.

- Michael D.

Attorneys for: Appellant

Suzanne W Sanchez, Esq. (AZ Bar No. 14091)

Side 2. DEPARTMENT OF CHILD SAFETY, M.D., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee DCS

Thomas K Sanders, Esq. (AZ Bar No. 20659)

(Litigant Group) M.D.

- M. D.

Attorneys for: Appellee Child

Amanda Adams, Esq. (AZ Bar No. 22505)

CASE STATUS

Apr 8, 2024.....Case Closed

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JD41348	Termination of Parental Rights		Michael Rassas, Authoring Judge of Order		

CASE DECISION

21-Mar-2024 MEMORANDUM DECISION

David Weinzwieg.....Author

Andrew Jacobs.....Concur

Jennifer Perkins.....Concur

Filed: 21-Mar-2024

Mandate: 08-Apr-2024

Decision Disposition

Affirmed

31 PROCEEDING ENTRIES

- 18-Jul-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 07/12/2023 and Notification of Notice of Appeal Filed
- 20-Jul-2023 FILED: Appellate Clerk Notice (606(b))
- 21-Jul-2023 FILED: Appellant's Notice of Filing in Superior Court (Motion to Stay Appeal); Certificate of Service for Appellant's Notice of Filing (Appellant)
- 24-Jul-2023 ORDERED: Appellant's Notice of Filing in Superior Court (Motion to Stay Appeal) (Appellant) = GRANTED/ staying this appeal until 08/23/2023. FURTHER ORDERED: revesting jurisdiction in the Maricopa County Superior Court and authorizing that court to rule on appellant's motion. FURTHER ORDERED: directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 08/23/2023. FURTHER ORDERED: the stay will be lifted automatically on 08/24/2023. FURTHER ORDERED: vacating the transcript due date. No transcript will be due until further order. Amber E Pershon ProTem Judge - Author
- 25-Jul-2023 FILED: DCS's Notice of Change of Counsel; DCS Certificate of Service for Notice of Change of Counsel (Appellee DCS)
- 26-Jul-2023 FILED: Child's Notice of Change of Counsel; Child's Certificate of Service for Notice of Change of Counsel (Appellee Child)
- 1-Aug-2023 FILED: E-Record on Appeal: JD41348
Instrument/Minute Entries: Combined
Exhibits:
Hearing Date: 10/28/2021 - LIST # E1
Hearing Date: 04/18/2022 - LIST # E1 E2 E3 E4 E7 E8 E9 E10 E13
Hearing Date: 05/02/2023 - LIST # E1 E2 E3 E4 E5 E6 E7 E8 E9 E10 E11 E12 E13 E14 E15 E16 E17 E18 E19 E20
- 25-Aug-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Order Denying Appellant's Motion for Reconsideration, filed 08/21/2023) (JD41348)

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0146****IN RE TERM OF PARENTAL RIGHTS AS TO M.D.****31 PROCEEDING ENTRIES**

9.	30-Aug-2023	ORDERED: The transcript of the proceedings held on 05/02/2023 must be filed in this court by 09/19/2023. Amber E Pershon ProTem Judge - Author
10.	30-Aug-2023	FILED: Reporter's Transcript - 05/02/2023 - Contested Severance Hearing, Report and Review Hearing (Kimberly C. McCright)
11.	5-Sep-2023	FILED: Notice of Completion of Record
12.	6-Sep-2023	FILED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court; DCS's Certificate of Service (Appellee)
13.	7-Sep-2023	ORDERED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Appellee DCS) = GRANTED/ staying this appeal until 11/6/2023. FURTHER ORDERED: revesting jurisdiction in the Maricopa County Superior Court and authorizing that court to rule on any motions made by the parties regarding the above matters.FURTHER ORDERED: directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 11/6/2023. FURTHER ORDERED: the stay will be lifted automatically on 11/7/2023, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. FURTHER ORDERED: vacating the opening brief due date. No brief will be due until further order. Amber E Pershon ProTem Judge - Author
14.	6-Nov-2023	ORDERED: Continuing the stay of this appeal until 12/06/2023. FURTHER ORDERED: Appellee DCS shall file in this court a status report by 11/16/2023, explaining the status of the superior court proceedings and the steps DCS has taken to address this issue. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 12/06/2023. FURTHER ORDERED: The stay will be lifted automatically on 12/07/2023, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Amber E Pershon ProTem Judge - Author
15.	16-Nov-2023	FILED: DCS's Status Report; DCS's Certificate of Service (Appellee DCS)
16.	20-Nov-2023	FILED: Courtesy Copy - Maricopa County Superior Court, filed 11/17/2023, re: Report and Review Hearing
17.	20-Nov-2023	ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Appellant may file his opening brief on or before 12/11/2023. FURTHER ORDERED: If appellant wishes to appeal the superior court's 11/17/2023, ruling, he must file a timely notice of appeal in accordance with Arizona Rule of Procedure for the Juvenile Court 603(a). If appellant wishes to move this court to supplement the record on appeal based on the 11/17/2023, minute entry, he must do so by 11/30/2023. Amber E Pershon ProTem Judge - Author
18.	4-Dec-2023	FILED: Appellant's Opening Brief; Certificate of Compliance for Appellant's Opening Brief; Certificate of Service for Appellant's Opening Brief (Appellant)
19.	6-Dec-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD41348)
20.	11-Dec-2023	FILED: DCS's Motion for Extension of Time to File Answering Brief (Motion for a Procedural Order); Certificate of Service (Appellee DCS)
21.	12-Dec-2023	ORDERED: DCS's Motion for Extension of Time to File Answering Brief (Appellee DCS) = GRANTED. Due date EXTENDED from Tuesday, 12-26-2023 to Thursday, 01-25-2024. The court will not grant any further extension absent extraordinary circumstances. Barbara Vidal Vaught ProTem Judge - Author
22.	23-Dec-2023	FILED: Appellee Child M.D.'s Answering Brief; Appellee Child's M.D.'s Certificate of Compliance; Appellee Child M.D.'s Certificate of Service (Appellee Child)
23.	26-Dec-2023	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
24.	29-Dec-2023	FILED: Appellant's Notice: No Reply Brief to M.D.'s Answering Brief; Appellant's Certificate of Service for Notice of No Reply Brief to M.D.'s Answering Brief (Appellant)
25.	23-Jan-2024	FILED: Appellee Department of Child Safety's Answering Brief; Department of Child Safety's Certificate of Compliance; Department of Child Safety's Certificate of Service (Appellee)
26.	24-Jan-2024	FILED: Appellant's Notice: No Reply Brief to DCS's Answering Brief; Appellant's Certificate of Service - No Reply Brief to DCS's Answering Brief (Appellant)
27.	26-Jan-2024	CLNDR: CONFERENCE, Department B, 3-5-24, CONFERENCE ROOM.
28.	21-Mar-2024	MEMORANDUM DECISION (Affirmed) Hon David D Weinzwieg - Author; Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur
29.	21-Mar-2024	FILED: Decision Distribution Notification
30.	21-Mar-2024	FILED: Notice of Juvenile Rule 609
31.	8-Apr-2024	FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.

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