

Court of Appeals, Division One

Special Action

1 CA-SA 23-0250

DIAZ v. HON MILLER/DIAZ

Appellate Case Information

Case Filed: 29-Dec-2023

Case Closed:

Dept/Composition

Department F

Hon. Jennifer B Campbell
Hon. Kent E Cattani
Hon. Anni Hill Foster

Side 1. CELINA CONCEPCION DIAZ, Petitioner

(Litigant Group) CELINA CONCEPCION DIAZ

- Celina Conception Diaz

Attorneys for: Petitioner

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

Side 2. THE HONORABLE KEITH MILLER, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judge,

CARLOS GASTON DIAZ

Real Party in Interest., Respondent

(Litigant Group) HONORABLE KEITH MILLER

- Hon. Keith A Miller, Respondent Judge

(Litigant Group) CARLOS GASTON DIAZ

- Carlos Gaston Diaz, Real Party in Interest

Attorneys for: Real Party in Interest

Keith Berkshire, Esq. (AZ Bar No. 24107)

Alexandra Sandlin, Esq. (AZ Bar No. 35564)

CASE STATUS

Apr 19, 2024.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	FC2020-098273		Keith A Miller, Authoring Judge of Order		

2 OPEN DUE DATES

Motion for Reconsideration due

Due By:

Monday, May 6, 2024

Re: * ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED IN PART as to the superior court's 9/22/23 parenting time ruling. FURTHER ORDERED: JURISDICTION ACCEPTED IN PART as to the superior court's 9/22/23 contempt ruling. FURTHER ORDE

Petition for Review to ASC due

Due By:

Monday, May 20, 2024

Re: * ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED IN PART as to the superior court's 9/22/23 parenting time ruling. FURTHER ORDERED: JURISDICTION ACCEPTED IN PART as to the superior court's 9/22/23 contempt ruling. FURTHER ORDE

CASE DECISION

19-Apr-2024 ORDER

* ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED IN PART as to the superior court's 9/22/23 parenting time ruling. FURTHER ORDERED: JURISDICTION ACCEPTED IN PART as to the superior court's 9/22/23 contempt ruling. FURTHER ORDE

Kent Cattani.....Author

Filed:

19-Apr-2024

Mandate:

Decision Disposition

Jurisdiction Accepted in Part
Jurisdiction Denied in Part
Relief Denied

13 PROCEEDING ENTRIES

- 29-Dec-2023 FILED: Petition for Special Action; Certificate of Compliance; Special Action Party Contact Information (Petitioner)
- 29-Dec-2023 FILED: Special Action Clerk Notice (Assigned to Dept F, Judges Campbell, Cattani, Foster)
- 29-Dec-2023 FILED: Special Action Stay Hearing Scheduling Requirements

Court of Appeals, Division One**Special Action****1 CA-SA 23-0250****DIAZ v. HON MILLER/DIAZ****13 PROCEEDING ENTRIES**

4. 29-Dec-2023 FILED: Certificate of Service (Petitioner)
5. 3-Jan-2024 RECEIPT No.: 2024-00008 ; \$280.00, Authorization: #03014253099, Applied to: CELINA CONCEPCION DIAZ - Class A Filing Fee (\$280.00) Paid for: Stanley David Murray Attorney at Law - By nCourt LLC
6. 9-Jan-2024 FILED: Notice of Appearance of Counsel for Real Party in Interest; Certificate of Service (Real Party in Interest)
7. 9-Jan-2024 FILED: First Motion for Extension of Time to File Response to Petition for Special Action; Certificate of Service (Real Party in Interest)
8. 11-Jan-2024 ORDERED: First Motion for Extension of Time to File Response to Petition for Special Action (Real Party in Interest) = GRANTED. Due date EXTENDED from Wednesday, 01-10-2024 to Wednesday, 01-17-2024. Hon Jennifer B Campbell - Author
9. 16-Jan-2024 RECEIPT No.: 2024-00035 ; \$140.00, Authorization: 16012628875, Applied to: CARLOS GASTON DIAZ - Class B Filing Fee (\$140.00) Paid for: Keith Berkshire - By nCourt LLC
10. 17-Jan-2024 FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Real Party in Interest)
11. 24-Jan-2024 FILED: Reply to Response to Petition for Special Action; Certificate of Service; Certificate of Compliance (Petitioner)
12. 16-Apr-2024 FILED: Motion to Expedite Decision; Certificate of Service (Petitioner)
13. 19-Apr-2024 ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED IN PART as to the superior court's 9/22/23 parenting time ruling. FURTHER ORDERED: JURISDICTION ACCEPTED IN PART as to the superior court's 9/22/23 contempt ruling. FURTHER ORDERED: denying relief from the contempt ruling. FURTHER ORDERED: vacating the arrears judgment encapsulated in the 9/22/23 ruling to permit recalculation based on accurate information. FURTHER ORDERED: denying each side's request for an award of attorney's fees. Hon Kent E Cattani - Author