

# Court of Appeals, Division One

## Civil Appeal

**1 CA-CV 19-0390**

**MALONE v. ROSE, et al.**

### Appellate Case Information

Case Filed: 5-Jun-2019

Case Closed:

### Dept/Composition

#### Side 1. KATHLEEN MALONE, Plaintiff/Appellee

(Litigant Group) KATHLEEN MALONE

• Kathleen Malone

PRO SE

#### Side 2. LINDA JOY ROSE, et al., Defendant/Appellant

(Litigant Group) LINDA JOY ROSE, et al.

• Linda Joy Rose

PRO SE

• Jeff Horne

PRO SE

### CASE STATUS

Apr 3, 2024.....Decision Rendered

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2013-015099	Breach of Contract		Sherry K Stephens, Authoring Judge of Order		

### OPEN DUE DATE

Petition for Review to ASC due

Due By:

Friday, May 3, 2024

Re: \* ORDERED: Lifting stay of this appeal. FURTHER ORDERED: Notice (Motion to Dismiss) (Appellee) = GRANTED and dismissing this appeal. FURTHER ORDERED: Notice (Motion to Sanction) = DENIED appellee's request for additional sanctions. Melina Brill ProTem

### CASE DECISION

03-Apr-2024 ORDER

ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Notice (Motion to Sanction and Motion to Dismiss) (Appellee) = GRANTED. FURTHER ORDERED: Notice (Motion to Sanction) = DENIED appellee's request for additional sanctions.

Filed: 03-Apr-2024

Mandate:

Decision Disposition

**Dismissed**

Melina Brill.....Author

### 45 PROCEEDING ENTRIES

- 5-Jun-2019 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/07/19
- 5-Jun-2019 FILED: e-Record on Appeal: Combined Minute Entries/Instruments
- 5-Jun-2019 FILED: Additional record on appeal:  
HD 10/09/2017 LIST# 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 in a Box
- 11-Jun-2019 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 14-Jun-2019 FILED: Letter, dated 06/11/2019 to COA1, from Kathleen Malone, re: providing email for Appellee
- 21-Jun-2019 FILED: Notice of Automatic Stay; Certificate of Mailing (Appellant)

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 19-0390****MALONE v. ROSE, et al.****45 PROCEEDING ENTRIES**

7. 24-Jun-2019 ORDERED: staying this appeal until further order and vacating the 07/01/2019 due date for the case management statement and the 08/12/2019 due date for the opening brief. FURTHER ORDERED: directing appellants to advise this court within 10 days of any bankruptcy court order terminating the stay or dismissing the bankruptcy case and to file written notice with this court of the status of the bankruptcy proceedings on/before 12/20/2019. Failure to comply with this order may result in sanctions. Melina Brill ProTem Judge - Author
8. 25-Jun-2019 FILED: Notice of Payment of Filing Fee; Notice of Payment of Filing Fee (Certificate of Service) (DUPLICATE) (Appellant)
9. 28-Jun-2019 RECEIPT No.: 2019-00773 ; \$280.00, Authorization: #78015723370, Applied to: LINDA JOY ROSE, et al. - Class A Filing Fee (\$280.00) Paid for: LINDA JOY ROSE, et al. - By nCourt LLC
10. 19-Dec-2019 FILED: Status of Bankruptcy; Status of Bankruptcy (Certificate of Service) (DUPLICATE) (Appellants Pro Per)
11. 19-Dec-2019 ORDERED: Status of Bankruptcy (Appellants Pro Per) = GRANTED/continuing stay of appeal. FURTHER ORDERED: directing appellants to advise this court w/in 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy on/before 4/20/2020. Failure to timely comply may result in sanctions. Melina Brill ProTem Judge - Author
12. 20-Dec-2019 FILED: Motion of Counsel for Appellants to Withdraw from Appeal; Certificate of Mailing (Appellant)
13. 14-Jan-2020 ORDERED: Motion of Counsel for Appellants to Withdraw from Appeal (Appellant) = GRANTED. Melina Brill ProTem Judge - Author
14. 15-Apr-2020 FILED: Letter, dated 04/13/2020, from Kathleen Malone to COA1 re: Change of Email Address
15. 17-Apr-2020 FILED: Notice of Appearance; Certificate of Service (Appellant Pro Per)
16. 17-Apr-2020 FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
17. 20-Apr-2020 ORDERED: Status of Bankruptcy (Appellant Pro Per) = GRANTED/Continuing the stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating the stay or dismissing the bankruptcy case and to file written notice with this court of the status of the bankruptcy proceedings on/before 08/20/2020. Failure to timely comply with this order may result in sanctions. Melina Brill ProTem Judge - Author
18. 12-Aug-2020 FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
19. 13-Aug-2020 ORDERED: Continuing stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy proceedings on/before 12/18/2020. Failure to comply with this order may result in sanctions including dismissal of appeal. Melina Brill ProTem Judge - Author
20. 9-Dec-2020 FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
21. 9-Dec-2020 ORDERED: Continuing stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy proceedings on/before 04/19/2021. Failure to comply with this order may result in sanctions including dismissal of the appeal. Melina Brill ProTem Judge - Author
22. 10-Apr-2021 FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
23. 12-Apr-2021 ORDERED: Continuing stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy proceedings on/before 08/19/2021. Failure to comply with this order may result in sanctions including dismissal of appeal. Melina Brill ProTem Judge - Author
24. 5-Aug-2021 FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
25. 5-Aug-2021 FILED: Certificate of Service (Duplicate) (Appellant Pro Per)
26. 6-Aug-2021 ORDERED: Continuing stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy proceedings on/before 12/17/2021. Failure to comply with this order may result in sanctions including dismissal of the appeal. Melina Brill ProTem Judge - Author
27. 4-Dec-2021 FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
28. 6-Dec-2021 ORDERED: Status of Bankruptcy (Appellant Pro Per) = GRANTED and continuing stay of appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of the status of bankruptcy proceedings on or before 04/18/2022. Failure to comply with this order may result in sanctions including dismissal of the appeal. Melina Brill ProTem Judge - Author

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29.	9-Apr-2022	FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
30.	11-Apr-2022	ORDERED: Status of Bankruptcy (Appellant Pro Per) = GRANTED and continuing stay of appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with court of status of bankruptcy proceedings on or before 08/19/2022. Failure to comply with order may result in sanctions including dismissal of appeal. Melina Brill ProTem Judge - Author
31.	14-Aug-2022	FILED: Certificate of Service (Appellant Pro Per)
32.	14-Aug-2022	FILED: Status of Bankruptcy; Certificate of Service (Duplicate) (Appellant Pro Per)
33.	15-Aug-2022	ORDERED: Status of Bankruptcy (Appellant Pro Per) = GRANTED and continuing stay of appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with court of status of bankruptcy proceedings on or before 12/19/2022. Failure to comply with order may result in sanctions including dismissal of appeal. Melina Brill ProTem Judge - Author
34.	10-Dec-2022	FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
35.	13-Dec-2022	ORDERED: Status of Bankruptcy (Appellant Pro Per) = GRANTED and continuing the stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy proceedings on/before 06/12/2023. Failure to comply with this order may result in sanctions including dismissal of appeal. Melina Brill ProTem Judge - Author
36.	10-Jun-2023	FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
37.	12-Jun-2023	ORDERED: Status of Bankruptcy (Appellant Pro Per) = GRANTED and continuing the stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating the stay or dismissing the bankruptcy case and to file written notice with this court of the status of the bankruptcy proceedings on or before 10/12/2023. Failure to comply with this order may result in sanctions including dismissing this appeal. Melina Brill ProTem Judge - Author
38.	3-Oct-2023	FILED: Status of Bankruptcy; Certificate of Service (Appellant Pro Per)
39.	5-Oct-2023	ORDERED: Status of Bankruptcy (Appellants Pro Per) = GRANTED and continuing the stay of this appeal. FURTHER ORDERED: Directing appellants to advise this court within 10 days of any bankruptcy court order terminating the stay or dismissing the bankruptcy case and to file written notice with this court of the status of the bankruptcy proceedings on or before 02/12/2024. Failure to comply with this order may result in sanctions including dismissing this appeal. Melina Brill ProTem Judge - Author
40.	26-Feb-2024	ORDERED: Extending the time until 3/7/24 for appellants to file a status report. If a status report is not timely filed, the court will lift the stay and dismiss this appeal. Melina Brill ProTem Judge - Author
41.	13-Mar-2024	FILED: Notice (Motion to Sanction and Motion to Dismiss); Certificate of Service (Appellee)
42.	19-Mar-2024	RECEIPT No.: 2024-00273 ; \$140.00, Authorization: #79011877630, Applied to: KATHLEEN MALONE - Class B Filing Fee (\$140.00) Paid for: Kathleen Malone - By nCourt LLC
43.	26-Mar-2024	FILED: Response to Appellee's Motion to Dismiss; Response to Appellee's Motion to Dismiss (Certificate of Service) (Duplicate) (Appellant Pro Per)
44.	2-Apr-2024	FILED: Appellee's Response to Appellant's Response to Appellee's Motion to Dismiss and Motion for Sanctions; Certificate of Service (Appellee Pro Per)
45.	3-Apr-2024	ORDERED: Lifting stay of this appeal. FURTHER ORDERED: Notice (Motion to Dismiss) (Appellee) = GRANTED and dismissing this appeal. FURTHER ORDERED: Notice (Motion to Sanction) = DENIED appellee's request for additional sanctions. Melina Brill ProTem Judge - Author