

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 23-0311 FC

DURAN v. TERRONES

Appellate Case Information

Case Filed: 2-Jun-2023

Case Closed:

Dept/Composition

Department D

Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

Side 1. In re the Marriage of:

GREGORY DURAN, Petitioner/Appellee

(Litigant Group) GREGORY DURAN

- Gregory Duran

Attorneys for: Petitioner/Appellee

Sonia M Ramirez Sardinas, Esq. (AZ Bar No. 25701)
S Alan Cook, Esq. (AZ Bar No. 5403)

Side 2. TRACY LEE DURAN

NKA TRACY LEE TERRONES, Respondent/Appellant

(Litigant Group) TRACY LEE DURAN

NKA TRACY LEE TERRONES

- Tracy Lee Terrones

Attorneys for: Respondent/Appellant

Mary K Boyte Henderson, Esq. (AZ Bar No. 14969)

CASE STATUS

Jun 13, 2024....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YUM, S1400DO200900713, Motion to Alter or Amend Ruling, Eliza Johnson, Authoring Judge of Order.

OPEN DUE DATE

Petition for Review to ASC due

Due By:

Monday, July 15, 2024

Re: MEMORANDUM DECISION (Affirmed in Part, Reversed, Remanded in Part) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur

CASE DECISION

13-Jun-2024 MEMORANDUM DECISION

Michael Brown.....Author
Samuel Thumma.....Concur
Jennifer Campbell.....Concur

Filed: 13-Jun-2024 Mandate:

Table with 1 column: Decision Disposition. Rows: Affirmed in Part, Reversed, Remanded in Part.

35 PROCEEDING ENTRIES

- 1. 15-May-2023 FILED: Copy of Notice of Filing Appeal
2. 2-Jun-2023 FILED: Index of Record, Notice of Appeal from Yuma County Superior Court filed 05/05/23
3. 2-Jun-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None sent with e-Record
4. 2-Jun-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 7-Jun-2023 FILED: Additional Record on Appeal: Physical Exhibits:Physical Exhibits: Hearing Date 10/21/22 List 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 Hearing Date 10/28/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
6. 12-Jun-2023 FILED: Transcript of 01/13/2023 Proceedings on CD

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 23-0311 FC****DURAN v. TERRONES****35 PROCEEDING ENTRIES**

7. 14-Jun-2023 FILED: Notice of Payment; Certificate of Service (Appellant)
8. 19-Jun-2023 ORDERED: Striking the electronic recording received by this court on 06/12/2023. Melina Brill ProTem Judge - Author
[Vacated per order filed 07/12/2023]
9. 21-Jun-2023 RECEIPT No.: 2023-00550 ; \$280.00, Authorization: #72014046156, Applied to: TRACY LEE DURAN
NKA TRACY LEE TERRONES - Class A Filing Fee (\$280.00) Paid for: Mary Katherine Boyte PC - By nCourt LLC
10. 22-Jun-2023 FILED: Case Management Statement (Appellant)
11. 23-Jun-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
12. 11-Jul-2023 RECEIPT No.: 2023-00617 ; \$140.00, Check Number: #11126, Applied to: GREGORY DURAN - Class B Filing Fee (\$140.00)
Paid for: S Alan Cook PC - By
13. 11-Jul-2023 FILED: Motion for Inclusion of Written Hearing Transcripts in Record on Appeal; Certificate of Service of Motion re Transcripts
(Appellant)
14. 12-Jul-2023 ORDERED: Motion for Inclusion of Written Hearing Transcripts in Record on Appeal (Appellant) = GRANTED and vacating this
court's 06/19/2023 order and accepting the 10/28/2022 transcript as part of the record on appeal. Barbara Vidal Vaught
ProTem Judge - Author
15. 26-Jul-2023 FILED: Request for Extension of Time to File Brief; Certificate of Service (Appellant)
16. 26-Jul-2023 ORDERED: Request for Extension of Time to File Brief (Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from
Tuesday, 08-01-2023 to Friday, 09-01-2023. If brief not timely filed, the court will dismiss this appeal. Melina Brill ProTem
Judge - Author
17. 1-Sep-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
18. 9-Oct-2023 FILED: Notice of Appearance; Certificate of Service of Notice of Appearance (Appellee)
19. 9-Oct-2023 FILED: Motion for Extension of Time (Answering Brief); Certificate of Service of Motion for Extension of Time (Answering Brief)
(Appellee)
20. 11-Oct-2023 ORDERED: Motion for Extension of Time (Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Wednesday,
10-11-2023 to Monday, 11-13-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and
the opening brief. Melina Brill ProTem Judge - Author
21. 13-Nov-2023 FILED: Answering Brief of Appellee; Certificate of Compliance of Answering Brief of Appellee; Certificate of Service of Answering
Brief of Appellee (Appellee)
22. 28-Nov-2023 FILED: Request for Extension of Time to File Brief (Reply); Certificate of Service (Appellant)
23. 29-Nov-2023 ORDERED: Request for Extension of Time to File Brief (Reply) (Appellant) = GRANTED. Due date EXTENDED from Monday,
12-04-2023 to Wednesday, 01-03-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record
and the filed briefs. Melina Brill ProTem Judge - Author
24. 2-Jan-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
25. 5-Jan-2024 FILED: Petitioner/Appellee's Request for Oral Argument; Certificate of Service of Petitioner/Appellee's Request for Oral Argument
(Appellee)
26. 30-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
27. 1-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
28. 13-Feb-2024 ORDERED: Petitioner/Appellee's Request for Oral Argument (Appellee) = GRANTED. Hon David B Gass - Author
29. 26-Feb-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 4-10-24, 09:30 am, COURTROOM 2.
30. 26-Feb-2024 FILED: Notice of Oral Argument
31. 27-Feb-2024 FILED: Unopposed Motion to Reschedule Oral Argument; Certificate of Service (Appellant)
32. 29-Feb-2024 ORDERED: Unopposed Motion to Reschedule Oral Argument (Appellant) = Vacating the oral argument set for Wednesday,
04/10/2024 at 9:30 a.m. and vacating the conference in the above-referenced case currently scheduled for 04/10/2024.
FURTHER ORDERED: Resetting conference in this matter to 05/08/2024 and setting oral argument in this matter on Wednesday,
05/08/2024 at 9:30 a.m. in Courtroom 2 (see order). Hon Samuel A Thumma - Author

Court of Appeals, Division One

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35 PROCEEDING ENTRIES

- 33. 1-Mar-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Mary Henderson on 02/29/2024 (Appellant)
- 34. 9-May-2024 FILED: Sign-in Sheet/Case is Under Advisement as of 05/08/2024
- 35. 13-Jun-2024 MEMORANDUM DECISION (Affirmed in Part, Reversed, Remanded in Part) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur