

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0320

WALKER v. HEALD

Appellate Case Information

Case Filed: 6-Jun-2023

Case Closed:

Dept/Composition

Department F

Hon. Daniel J Kiley
Hon. Kent E Cattani
Hon. D Steven Williams

Side 1. JOHN F. WALKER, a single man, Plaintiff/Appellant

(Litigant Group) JOHN F. WALKER, a single man

• John F Walker

PRO SE

Side 2. WENDY HEALD, a single woman, Defendant/Appellee

(Litigant Group) WENDY HEALD, a single woman

• Wendy Heald

Attorneys for: Defendant/Appellee

Florence M Bruemmer, Esq. (AZ Bar No. 19691)

CASE STATUS

Feb 21, 2024....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV V1300CV202080180	Common Law Fraud		Linda Wallace, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-24-0041-PR

CASE DECISION

23-Jan-2024 MEMORANDUM DECISION

Daniel Kiley.....Author
Kent Cattani.....Concur
D Williams.....Concur

Filed: 23-Jan-2024

Mandate:

Decision Disposition

Affirmed

25 PROCEEDING ENTRIES

- 6-Jun-2023 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 04/28/23
- 6-Jun-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None
- 6-Jun-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 8-Jun-2023 FILED: Consent to Electronic Distribution by the Appellate Clerk; Certificate of Service (Appellant Pro Per)
- 14-Jun-2023 RECEIPT No.: 2023-00518 ; \$280.00, Authorization: #65010451653, Applied to: JOHN F. WALKER, a single man - Class A Filing Fee (\$280.00) Paid for: JOHN F. WALKER - By nCourt LLC
- 19-Jun-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
- 23-Jun-2023 FILED: Case Management Statement; Copy of Yavapai County Superior Court Order dated 04/03/2023 re: Amended Motion for Relief from Final Judgment; Copy of Yavapai County Superior Court Order dated 01/10/2022 re: Motion for Partial Summary Judgment (Appellant Pro Per)
- 26-Jun-2023 RECEIPT No.: 2023-00558 ; \$140.00, Check Number: 9757, Applied to: WENDY HEALD, a single woman - Class B Filing Fee (\$140.00) Paid for: Law Office of Florence M Bruemmer P C - By Law Office of Florence M Bruemmer P C
- 6-Aug-2023 FILED: Opening Brief [Appellant]; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
- 22-Aug-2023 FILED: Appellee's Response Brief; Certificate of Compliance; Certificate of Service (Appellee)
- 17-Sep-2023 FILED: Motion to Strike the Appellee's Response Brief as Time-Barred Due to Improper Service. [sic] (Motion to Extend Time to File Reply); Certificate of Service; Certificate of Service (from Appellee's Answering Brief) (Appellant Pro Per)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0320****WALKER v. HEALD****25 PROCEEDING ENTRIES**

12.	18-Sep-2023	FILED: Updated Certificate of Service (Appellee)
13.	18-Sep-2023	ORDERED: Motion to Strike the Appellee's Response Brief as Time-Barred Due to Improper Service. [sic] (Motion to Extend Time to File Reply) (Appellant Pro Per) = DENIED (motion to strike). FURTHER ORDERED: Appellee shall re-serve the answering brief to appellant and file an updated certificate of service with the court by 09/28/2023. FURTHER ORDERED: Extending the time to file the reply brief from 09/11/2023 to 10/18/2023. 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
14.	17-Oct-2023	FILED: Reply to Appellee's Response Brief; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
15.	25-Oct-2023	FILED: Appellant's Motion for Leave to File an Amended Opening Brief; Certificate of Service; Amended Opening Brief (Appellant Pro Per)
16.	9-Nov-2023	ORDERED: Appellant's Motion for Leave to File an Amended Opening Brief (Appellant Pro Per) = GRANTED and accepting the amended opening brief filed on 10/25/2023, in place of the brief filed on 08/06/2023. Melina Brill ProTem Judge - Author
17.	12-Nov-2023	FILED: Plaintiff's Filing of Amended Opening Brief (Duplicate); Certificate of Service; Amended Opening Brief; Amended Opening Brief (Duplicate) (Appellant Pro Per)
18.	14-Nov-2023	FILED: Notice of No Intent to File an Amended Answering Brief; Certificate of Service (Appellee)
19.	24-Nov-2023	CLNDR: CONFERENCE, Department F, 1-11-24, CONFERENCE ROOM.
20.	23-Jan-2024	MEMORANDUM DECISION (Affirmed) Hon Daniel J Kiley - Author; Hon Kent E Cattani - Concur; Hon D Steven Williams - Concu
21.	23-Jan-2024	FILED: Decision Distribution Notification
22.	31-Jan-2024	FILED: Verified Statement of Attorney's Fees and Costs on Appeal; Certificate of Service (Appellee)
23.	27-Feb-2024	FILED: Email Notice from ASC re: Petition for Review filed 2/21/24; request for partial record
24.	27-Feb-2024	FILED: Letter forwarding partial record to Arizona Supreme Court
25.	6-Mar-2024	ORDERED: Verified Statement of Attorney's Fees and Costs on Appeal (Appellee) = GRANTED and awarding Appellee Wendy Heald attorney fees of \$4,725.00 and costs of \$173.00, for a total award of \$4,898.00. Hon Daniel J Kiley - Author