

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 23-0413 FC

BENNINGHOFF v. BENNINGHOFF

Appellate Case Information

Case Filed: 6-Jul-2023
Case Closed: 24-Jun-2024

Decision

Dept/Composition

Department D

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

Side 1. In re the Marriage of:

LARISSA BENNINGHOFF, Petitioner/Appellant

(Litigant Group) LARISSA BENNINGHOFF

- Larissa Benninghoff

Attorneys for: Petitioner/Appellant

James Robert Schmillen, Esq. (AZ Bar No. 21316)

Erica Leavitt, Esq. (AZ Bar No. 32738)

Side 2. CHAD BENNINGHOFF, Respondent/Appellee

(Litigant Group) CHAD BENNINGHOFF

- Chad Benninghoff

Attorneys for: Respondent/Appellee

Robyn Barrett, Esq. (AZ Bar No. 36744)

CASE STATUS

Jun 24, 2024....Case Closed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, FC2022-001089, Petition for Dissolution of Non-Covenant Marriage with Minor Children, Monica Edelstein, Authoring Judge of Order.

CASE DECISION

16-May-2024 MEMORANDUM DECISION

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

Filed: 16-May-2024 Mandate: 24-Jun-2024

Decision Disposition

Affirmed in Part
Vacated in Part
Remanded in Part

27 PROCEEDING ENTRIES

- 1. 6-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/08/23
2. 6-Jul-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: Hearing Date 3/21/23 1, 39, 56, 61, 64, 83, 84, 85, 93, 95, 99, 109, 111, 135, 136, 137
3. 6-Jul-2023 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 03/21/2023 - List # 139 in Manila Envelope
4. 7-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 11-Jul-2023 FILED: Notice of Payment; Certificate of Service (Appellant)
6. 18-Jul-2023 RECEIPT No.: 2023-00640 ; \$280.00, Authorization: #99010791577, Applied to: LARISSA BENNINGHOFF - Class A Filing Fee (\$280.00) Paid for: Schmillen Law Firm PLLC - By nCourt LLC
7. 24-Jul-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
8. 24-Jul-2023 FILED: Notice of Filing and Serving Transcript (Reporter's Transcript - 03/21/2023 - Trial (Lori Thielmann)); Certificate of Service (Appellant)
9. 24-Jul-2023 FILED: Case Management Statement (Appellant)

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 23-0413 FC****BENNINGHOFF v. BENNINGHOFF****27 PROCEEDING ENTRIES**

10. 31-Jul-2023 RECEIPT No.: 2023-00702 ; \$140.00, Check Number: #1228, Applied to: CHAD BENNINGHOFF - Class B Filing Fee (\$140.00)
Paid for: Chad Benninghoff - By Colburn Hintze Maletta PLLC
11. 29-Aug-2023 FILED: Request for An Extension; Certificate of Service (Appellant)
12. 30-Aug-2023 ORDERED: Request for An Extension (Appellant) = GRANTED. (Opening Brief) Due date EXTENDED from Tuesday, 09-05-2023 to Thursday, 10-05-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
13. 5-Oct-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
14. 24-Oct-2023 FILED: Motion for Order Extending Time to File Response Brief (Answering Brief); Appellee Chad Benninghoff's Certificate of Service of Motion for Order Extending Time to File Response Brief (Appellee)
15. 24-Oct-2023 ORDERED: Motion for Order Extending Time to File Response Brief (Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 11-14-2023 to Tuesday, 12-26-2023. 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
16. 28-Nov-2023 FILED: Second Motion for Order Extending Time to File Response Brief Due to Death in Family; Appellee Chad Benninghoff's Certificate of Service of Second Motion for Order Extending Time to File Response Brief (Appellee)
17. 28-Nov-2023 ORDERED: Second Motion for Order Extending Time to File Response Brief Due to Death in Family (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 12-26-2023 to Tuesday, 01-16-2024. 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
18. 11-Jan-2024 FILED: Appellee Chad Benninghoff's Answering Brief; Appellee Chad Benninghoff's Answering Brief Certificate of Compliance; Appellee Chad Benninghoff's Answering Brief Certificate of Service (Appellee)
19. 25-Jan-2024 FILED: Request for an Extension (Reply Brief); Request for an Extension (Duplicate) (Certificate of Service) (Appellant)
20. 25-Jan-2024 ORDERED: Request for an Extension (Reply Brief) (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 01-31-2024 to Tuesday, 02-20-2024. 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
21. 20-Feb-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
22. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
23. 8-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
24. 26-Mar-2024 CLNDR: CONFERENCE, Department D, 5-8-24, COURTROOM 2.
25. 16-May-2024 MEMORANDUM DECISION (Affirmed in Part, Vacated in Part, Remanded in Part) Hon Jennifer B Campbell - Author; Hon Samuel A Thumma - Concur; Hon Michael J Brown - Concur
26. 16-May-2024 FILED: Decision Distribution Notification
27. 24-Jun-2024 FILED: Mandate, Physical record to clerk, Maricopa County Superior Court.