

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0418

ZIER v. MIZELL

Appellate Case Information

Case Filed: 6-Jul-2023

Case Closed:

Dept/Composition

Department B

Hon. Andrew M Jacobs
Hon. Jennifer M Perkins
Hon. David D Weinzwieg

Side 1. LAW OFFICE OF LARRY A ZIER PC, Plaintiff/Appellee

(Litigant Group) LAW OFFICE OF LARRY A ZIER PC

- Law Office of Larry A Zier PC

Attorneys for: Plaintiff/Appellee

Robert B Zelms, Esq. (AZ Bar No. 18956)

Samantha J Sawyer, Esq. (AZ Bar No. 34635)

Side 2. JULIE MIZELL, Defendant/Appellant

(Litigant Group) JULIE MIZELL

- Julie Mizell

PRO SE

CASE STATUS

Jan 26, 2024....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2019-003610	Breach of Contract		Randall H Warner, Authoring Judge of Order		

PENDING MATTER

General Motion

Filed: 25-Mar-2024

* Appellee Law Office of Larry A. Zier, Pc's Motion to Strike Appellant's Supplemental Brief (Appellee)

35 PROCEEDING ENTRIES

- 6-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/07/23
- 7-Jul-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None
- 7-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 12-Jul-2023 FILED: Plaintiff/Appellee's Motion to Strike Defendant/Appellant's Notice of Appeal; Certificate of Service (Appellee)
- 12-Jul-2023 FILED: Certificate of Service (Duplicate) (Appellee)
- 13-Jul-2023 FILED: Appellants' Response to Appellee (sic) Motion to Strike Appeal; Certificate of Service; Rule 8 - Appeal and Cross-Appeal-How Taken; Rule 9 - Appeal and Cross-Appeal-When Taken (Appellant)
- 14-Jul-2023 FILED: Appellants' [sic] Notice of Filing Fee; Appellants' [sic] Certificate of Service; Appellants' [sic] Notice of Filing Fee (Duplicate) (Appellant)
- 17-Jul-2023 RECEIPT No.: 2023-00638 ; \$140.00, Authorization: #98009212571, Applied to: LAW OFFICE OF LARRY A ZIER PC - Class B Filing Fee (\$140.00) Paid for: Robert B Zelms - By nCourt LLC
- 18-Jul-2023 FILED: Returned US Mail, Appellate Clerk Notice dated 07/07/2023, addressed to Julie Mizell, Insufficient Address/Unable to Forward (Not Resent)
- 19-Jul-2023 RECEIPT No.: 2023-00657 ; \$280.00, Authorization: #00009483659, Applied to: JULIE MIZELL - Class A Filing Fee (\$280.00) Paid for: JULIE MIZELL - By nCourt LLC
- 21-Jul-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
- 24-Jul-2023 ORDERED: Plaintiff/Appellee's Motion to Strike Defendant/Appellant's Notice of Appeal (Appellee) = DENIED. FURTHER ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 08/23/2023. Signed order re: minute entry of 05/04/2023 filed 05/08/2023 due within 10 days after its entry. If appeal reinstated by filing of signed order, case management statement due 09/05/2023 and opening brief due 09/22/2023. Melina Brill ProTem Judge - Author
- 5-Sep-2023 FILED: Case Management Statement (Appellant Pro Per)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0418****ZIER v. MIZELL****35 PROCEEDING ENTRIES**

14.	5-Sep-2023	FILED: Appellants' Certificate of Service (Appellant Pro Per)
15.	22-Sep-2023	FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service; Garnishee's Answer (Non-Earnings) And Objection to Garnishment (Appellant Pro Per)
16.	22-Sep-2023	FILED: Reporter's Transcript - 08/13/2020 - Trial Setting Conference (Brian Gemma); Reporter's Transcript - 09/23/2020 - Trial Hearing (Brian Gemma); Reporter's Transcript - 06/27/2023 - Garnishment Hearing (Brian Gemma); Reporter's Transcript - 07/12/2023 - Garnishment Hearing (Brian Gemma) (Appellant Pro Per)
17.	22-Sep-2023	FILED: Untitled (Emails dated 08/06/2021-08/09/2021); Certificate of Service; Mandate (Issued 05/13/2020 in case 1 CA-CV 19-0044); Untitled (Emails dated 07/23/2021-10/19/2021) (Appellat Pro Per)
18.	24-Oct-2023	FILED: Appellee's Motion to Extend Time to File Answering Brief; Certificate of Service (Appellee)
19.	24-Oct-2023	ORDERED: Appellee's Motion to Extend Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Wednesday, 11-01-2023 to Friday, 11-17-2023. 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
20.	17-Nov-2023	FILED: Appellee Law Office Of Larry A. Zier, PC's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
21.	7-Dec-2023	FILED: Appellant Reply Brief; Certificate of Compliance; Certificate of Service; (Untitled) Appendix (Appellant)
22.	7-Dec-2023	FILED: (Untitled) Appendix; Certificate of Service; (Untitled) Appendix; (Untitled) Appendix (Appellant)
23.	29-Dec-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24.	8-Jan-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record
25.	26-Jan-2024	CLNDR: CONFERENCE, Department B, 3-5-24, CONFERENCE ROOM.
26.	29-Feb-2024	ORDERED: Inviting the parties to file simultaneous supplemental briefs, no later than 21 days from the date of this order (not to exceed 1,000 words), addressing three questions (see order). FURTHER ORDERED: Vacating conference in this matter set for 03/05/2024. The court will reset conference after it receives supplemental briefing. Hon Andrew M Jacobs - Author
27.	21-Mar-2024	FILED: Appellee Law Office of Larry A. Zier's Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellee)
28.	22-Mar-2024	FILED: Appellants' Opening Brief (Duplicate); Certificate of Compliance (Duplicate); Certificate of Service (Duplicate); Copy of Memorandum Decision filed 01/28/2016 re: case 1 CA-CV 13-0709 (Appellant Pro Per)
29.	22-Mar-2024	FILED: Appellants' Supplemental Brief; Certificate of Compliance; Certificate of Service; Copy of Memorandum Decision filed 01/28/2016 re: case 1 CA-CV 13-0709 (Duplicate) (Appellant Pro Per)
30.	25-Mar-2024	FILED: Appellee Law Office of Larry A. Zier, PC's Motion to Strike Appellant's Supplemental Brief; Certificate of Service (Appellee)
31.	26-Mar-2024	FILED: Appellants' Response to Appellee's[sic] Motion to Strike Appellant's Summary Brief; Certificate of Service; Ariz. R. Civ. App. P. 11 (to Appellants' Response to Appellee's[sic] Motion to Strike Appellant's Summary Brief) (Appellant Pro Per)
32.	26-Mar-2024	FILED: Appellants' Response to Appellee's Motion to Strike Appellant's Supplemental Brief (Notice of Errata); Certificate of Service; Ariz. R. Civ. P. 6 (to Appellants' Response to Appellee's Motion to Strike Appellant's Supplemental Brief); Ariz. R. Civ. App. P. 5 (to Appellants' Response to Appellee's Motion to Strike Appellant's Supplemental Brief) (Appellant Pro Per)
33.	26-Mar-2024	FILED: Amended Certificate of Service; Exhibit Email (to Amended Certificate of Service); Exhibit Email 2 (to Amended Certificate of Service) (Appellant Pro Per)
34.	2-Apr-2024	FILED: Appellee Law Office of Larry A. Zier, PC's Reply in Support of Motion to Strike Appellant's Supplemental Brief; Certificate of Service (Appellee)
35.	11-Apr-2024	FILED: Appellants' [sic] Response to Appellee's Motion to Strike Appellant's Supplemental Brief; Appellants' [sic] Certificate of Service; Ariz.R.Civ.P.11; Copy of Maricopa County Superior Court ME filed 06/08/2023 (Appellant Pro Per)