

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0624

MACIAS v. MARICOPOLY

Appellate Case Information

Case Filed: 5-Oct-2023

Case Closed:

Dept/Composition

Department D

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

Side 1. GERARDO MACIAS, Defendant/Appellee

(Litigant Group) GERARDO MACIAS

- Gerardo Macias

Attorneys for: Defendant/Appellee

Marc Windtberg, Esq. (AZ Bar No. 24802)

Side 2. MARICOPOLY, LLC, Intervenor/Appellant

(Litigant Group) MARICOPOLY, LLC

- Maricopoly LLC

Attorneys for: Intervenor/Appellant

Kyle A Kinney, Esq. (AZ Bar No. 27189)

CASE STATUS

Jun 4, 2024.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2017-092698	Foreclosure-release of funds		Brian Kaiser, Authoring Judge of Order		

CASE DECISION

04-Jun-2024 MEMORANDUM DECISION

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

Filed: 04-Jun-2024 Mandate:

Decision Disposition
Vacated
Remanded

19 PROCEEDING ENTRIES

- 5-Oct-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/06/23
- 5-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 6-Oct-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 10-Oct-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service re: Notice of Payment of Filing Fee (Appellant)
- 16-Oct-2023 RECEIPT No.: 2023-00968 ; \$280.00, Authorization: #89011576586, Applied to: MARICOPOLY, LLC - Class A Filing Fee (\$280.00) Paid for: Jonathan Levine - By nCourt LLC
- 20-Oct-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
- 26-Oct-2023 FILED: Case Management Statement (Appellant)
- 24-Nov-2023 FILED: Notice of Filing Transcript on Appeal (Reporter's Transcript - 08/15/2023 - Oral Argument to Determine Priority of Excess (Dominique McKenzie)) (Appellant)
- 28-Nov-2023 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service Re: Motion to Extend Time to File Opening Brief (Appellant)
- 28-Nov-2023 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED and extending the time to file the opening brief from 12/05/2023 to 01/04/2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
- 4-Jan-2024 FILED: Appellant Maricopoly, LLC's Opening Brief; Certificate of Compliance Re: Opening Brief; Certificate of Service Re: Opening Brief (Appellant)

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0624

MACIAS v. MARICOPOLY

19 PROCEEDING ENTRIES

12. 23-Feb-2024 ORDERED: Submitting this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
13. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
14. 8-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
15. 26-Mar-2024 CLNDR: CONFERENCE, Department D, 5-8-24, COURTROOM 2.
16. 4-Jun-2024 MEMORANDUM DECISION (Vacated, Remanded) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur
17. 4-Jun-2024 FILED: Decision Distribution Notification
18. 6-Jun-2024 FILED: Application for Attorney Fees and Costs and Request for Release of Bond; Certificate of Service Re: Application for Attorney Fees and Costs (Appellant)
19. 1-Jul-2024 ORDERED: Application for Attorney FEES and Costs and Request for Release of Bond (Appellant) = GRANTED IN PART. Granting appellant's request for attorneys' fees in the amount of \$8,200 and costs in the amount of \$465.67. FURTHER ORDERED: Taking no action on request for release of bond. Hon Michael J Brown - Author