

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 23-0634 FC

LUNA v. PEINADO

Appellate Case Information

Case Filed: 12-Oct-2023
Case Closed: 24-Jun-2024

Decision

Dept/Composition

Department C

Hon. Paul J McMurdie
Hon. Maria Elena Cruz
Hon. Cynthia J Bailey

Side 1. In re the Matter of:

MARTHA CECILIA LUNA, Petitioner/Appellee

(Litigant Group) MARTHA CECILIA LUNA

Martha Cecilia Luna

PRO SE

Side 2. ERNESTO LUNA PEINADO, Respondent/Appellant

(Litigant Group) ERNESTO LUNA PEINADO

Ernesto Luna Peinado

Attorneys for: Respondent/Appellant

Joseph T Stewart, Esq. (AZ Bar No. 22047)

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, FN2019-005470, Motion to Alter or Amend, Michelle Carson, Authoring Judge of Order.

CASE DECISION

16-May-2024 MEMORANDUM DECISION

Paul McMurdie.....Author
Maria Cruz.....Concur
Cynthia Bailey.....Concur

Filed: 16-May-2024

Mandate: 24-Jun-2024

Decision Disposition

Vacated
Remanded

25 PROCEEDING ENTRIES

- 1. 12-Oct-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/13/23
2. 12-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 12-Oct-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 13-Oct-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant)
5. 19-Oct-2023 RECEIPT No.: 2023-00987 ; \$280.00, Authorization: #92006497238, Applied to: ERNESTO LUNA PEINADO - Class A Filing Fee (\$280.00) Paid for: Law Office of Joseph T Stewart PLLC - By nCourt LLC
6. 20-Oct-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
7. 23-Oct-2023 FILED: Case Management Statement; Certificate of Service (Appellant)
8. 23-Oct-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
9. 25-Oct-2023 ORDERED: (per Sorensen v. Farmers) staying appeal until 11/28/2023. Signed order with certification of finality pursuant to Rule 78(c) due within 10 days after its entry.
10. 27-Oct-2023 FILED: Copy of Maricopa County Superior Court ME dated 10/25/2023 re: Nunc Pro Tunc
11. 27-Oct-2023 FILED: Amended Appellate Clerk Notice re: No Appellee's Fee Due; Appellant's Brief/Case Management Statement Due
12. 6-Nov-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record [includes signed Nunc Pro Tunc order filed 10/25/2023 re: Rule 78(c) judgment]

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**LUNA v. PEINADO**

**25 PROCEEDING ENTRIES**

13. 28-Dec-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
14. 28-Dec-2023 FILED: Appellants' Appendix to Opening Brief (Appellant)
15. 16-Feb-2024 ORDERED: Submitting this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
16. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
17. 8-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
18. 26-Mar-2024 CLNDR: CONFERENCE, Department C, 5-8-24, CONFERENCE ROOM.
19. 3-Apr-2024 ORDERED: Directing Appellant to file the transcript (05/18/2023 evidentiary hearing) with the clerk of court by 05/03/2024. Hon Paul J McMurdie - Author
20. 3-Apr-2024 FILED: Notice of Lodging Transcript; Certificate of Service; Reporter's Transcript - 05/18/2023 - Proceedings (Diane Otto) (Appellant)
21. 16-May-2024 MEMORANDUM DECISION (Vacated, Remanded) Hon Paul J McMurdie - Author; Hon Maria Elena Cruz - Concur; Hon Cynthia J Bailey - Concur
22. 16-May-2024 FILED: Decision Distribution Notification
23. 30-May-2024 FILED: Motion to Stop Alter or Amend (Appellee Pro Per)
24. 31-May-2024 ORDERED: Motion to Stop Alter or Amend (Appellee Pro Per) = DENIED. Hon Paul J McMurdie - Author
25. 24-Jun-2024 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.