

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0115

IN RE TERM OF PARENTAL RIGHTS AS TO J.G. et al.

Appellate Case Information

Case Filed: 16-May-2023

Case Closed:

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe

Side 1. THOMAS G., Appellant

(Litigant Group) THOMAS G.

- Thomas G.

Attorneys for: Appellant Thomas G.

David W Bell, Esq. (AZ Bar No. 13756)

(Litigant Group) JACQUELYN J. [Dismissed per 7/19/23 Order]

- Jacquelyn J.

PRO SE

Side 2. DEPARTMENT OF CHILD SAFETY, J.G., E.G., T.J., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee DCS

Casey Ball, Esq. (AZ Bar No. 34987)

(Litigant Group) J.G., E.G., T.J.

- J. G.

Attorneys for: Appellee Children

- E. G.

Steven Dorr Eckhardt, Esq. (AZ Bar No. 28135)

- T. J.

Stephanie Preciado, Esq. (AZ Bar No. 21797)

CASE STATUS

Jul 12, 2024.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, JD36135, Termination of Parental Rights, Christopher Whitten, Authoring Judge of Order.

Table with 2 columns: DESCENDENT CASE(S), Case ID. Row 1: ASC, CV-24-0149-PR

CASE DECISION

11-Jun-2024 MEMORANDUM DECISION

Anni Foster.....Author

Filed: 11-Jun-2024

Mandate:

Brian Furuya.....Concur

Decision Disposition

Randall Howe.....Concur

Vacated
Remanded

33 PROCEEDING ENTRIES

- 1. 16-May-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 05/12/2023 and Notification of Notice of Appeal Filed (Thomas G.)
2. 19-May-2023 FILED: Appellate Clerk Notice (606(b))
3. 22-May-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 05/12/2023 and Amended Notification of Notice of Appeal Filed (Thomas G.)
4. 22-May-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 05/18/2023 and Amended Notification of Notice of Appeal Filed (Jacquelyn J.)
5. 30-May-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0115

IN RE TERM OF PARENTAL RIGHTS AS TO J.G. et al.

33 PROCEEDING ENTRIES

6. 31-May-2023 FILED: E-Record on Appeal: JD36135
Instrument/Minute Entries: Combined
Exhibits:
Hearing Date: 11/05/2021 - LIST # E1
Hearing Date: 08/01/2022 - LIST # E1
Hearing Date: 04/20/2023 - LIST # E1 E2 E3 E4 E5 E6 E7 E8 E9 E10 E11 E12 E13 E14 E15 E16 E17 E18 E19 E20 E21 E22
E23 E24 E25 E26 E27 E28 E29 E30 E31 E32 E33 E34 E35 E36 E37 E38 E39 E40 E41 E42 E43 E44 E45 E46 E47 E48 E49 E50
E51 E52 E53 E54 E55 E56 E57 E58 E59 E60 E61 E62 E63 E64 E65 E66 E67 E68 E69 E70 E71 E72 E73 E74 E75 E76 E77 E78
E79 E80 E81 E82 E83 E84 E85 E86 E87 E88 E89 E90 E91 E92 E93 E94 E95 E96
7. 5-Jun-2023 FILED: Reporter's Transcript - 04/20/2023 - Contested Severance Hearing (J. Marie Moran)
8. 5-Jun-2023 FILED: Reporter's Transcript - 05/03/2023 - Contested Severance Hearing (J. Marie Moran)
9. 7-Jun-2023 FILED: Notice of Completion of Record
10. 23-Jun-2023 FILED: Notice and Avowal In Lieu of (Jacquelyn J.'s) Opening Brief; Certificate of Service (Appellant Jacquelyn J.)
11. 23-Jun-2023 FILED: Request for Additional Time to File (Thomas G.'s) Opening Brief; Certificate of Service (Appellant Thomas G.)
12. 26-Jun-2023 ORDERED: Request for Additional Time to File (Thomas G.'s) Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 06-27-2023 to Friday, 07-07-2023. Amber E Pershon ProTem Judge - Author
13. 27-Jun-2023 ORDERED: Granting appellant's extension request. Appellant Jacquelyn J. may file an opening brief on or before 07/12/2023. See Ariz. R.P. Juv. Ct. 607(e)(3). The court will grant no further extensions absent extraordinary circumstances. See Ariz. R.P. Juv. Ct. 607(e)(3). If appellant does not timely file an opening brief, the court will dismiss this appeal based on counsel's notice under Rule 607(e)(4). FURTHER ORDERED: Steven Czop remains appointed, but only as appellant's advisory counsel. Advisory counsel is an attorney who is retained merely to give advice or answer questions regarding specific issues, rather than taking the lead and actively participating in a case. FURTHER ORDERED: directing the clerk of the court to designate Steven Czop as advisory counsel for appellant. Amber E Pershon ProTem Judge - Author
14. 7-Jul-2023 FILED: Opening Brief of Appellant, Thomas G.; (Untitled) (Certificate of Compliance); Certificate of Service (Appellant Thomas G.)
15. 17-Jul-2023 FILED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief; DCS's Certificate of Service (Appellee DCS)
16. 18-Jul-2023 ORDERED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief (as to appellant Thomas G.) (Appellee DCS) = GRANTED. Due date EXTENDED from Thursday, 07-27-2023 to Monday, 08-28-2023. The court will not grant any further extension absent extraordinary circumstances. Amber E Pershon ProTem Judge - Author
17. 19-Jul-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
18. 19-Jul-2023 ORDERED: Dismissing Jacquelyn J.'s appeal. Amber E Pershon ProTem Judge - Author

[Amended per 03/27/2024 Order]
19. 28-Aug-2023 FILED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Motion for Procedural Order); DCS's Certificate of Service for Motion for Procedural Order (Appellee DCS)
20. 30-Aug-2023 ORDERED: DCS's Motion to Suspend Appeal and Temporarily Revest Jurisdiction in the Juvenile Court (Motion for Procedural Order) (Appellee DCS) = GRANTED/ staying this appeal until 10/30/2023. FURTHER ORDERED: revesting jurisdiction in the Maricopa County Superior Court and authorizing that court to rule on any motions made by the parties regarding the above matters. FURTHER ORDERED: directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 10/30/2023. FURTHER ORDERED: the stay will be lifted automatically on 10/31/2023, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. FURTHER ORDERED: vacating the answering brief due date. No answering brief will be due until further order. Amber E Pershon ProTem Judge - Author
21. 30-Oct-2023 ORDERED: Continuing the stay of this appeal until 11/29/2023. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 11/29/2023. FURTHER ORDERED: The stay will be lifted automatically on 11/30/2023, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Amber E Pershon ProTem Judge - Author
22. 6-Nov-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD36135)
23. 6-Nov-2023 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Appellees may file their answering briefs on or before 11/27/2023. FURTHER ORDERED: If appellant wishes to appeal the superior court's 10/31 ruling, he must file a timely notice of appeal in accordance with Arizona Rule of Procedure for the Juvenile Court 603(a). If appellant wishes to move this court to supplement the record on appeal based on the 10/31 ruling, he must do so by 11/16/2023. Amber E Pershon ProTem Judge - Author

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0115

IN RE TERM OF PARENTAL RIGHTS AS TO J.G. et al.

33 PROCEEDING ENTRIES

24. 27-Nov-2023 FILED: Appellee Department of Child Safety's Answering Brief; Certificate of Compliance; DCS's Certificate of Service for Answering Brief (Appellee DCS)
25. 21-Dec-2023 CLNDR: CONFERENCE, Department E, 2-8-24, COURTROOM 2.
26. 27-Mar-2024 ORDERED: Amending the court's order issued on 07/19/2023, by dismissing the minor children J.J. and P.G. from this appeal. FURTHER ORDERED: The remainder of the order issued on 07/19/2023 is unchanged. Patrick Philippe Lacroix ProTem Judge - Author
27. 8-Apr-2024 FILED: Returned US Mail, Amended Order Dismissing Party from Appeal dated 03/27/2024, addressed to Jacquelyn J., Return to Sender, Not Deliverable as Addressed, Unable to Forward.
28. 11-Jun-2024 MEMORANDUM DECISION (Vacated, Remanded) Hon Anni Hill Foster - Author; Hon Brian Y Furuya - Concur; Hon Randall M Howe - Concur
29. 11-Jun-2024 FILED: Decision Distribution Notification
30. 11-Jun-2024 FILED: Notice of Juvenile Rule 609
31. 26-Jun-2024 FILED: Notice of Intent to File a Petition for Review; Certificate of Service for Notice of Intent to File a Petition for Review (Appellee DCS)
32. 12-Jul-2024 FILED: Email Notice from ASC re: Petition for Review filed 07/10/24; request for partial record
33. 12-Jul-2024 FILED: Letter forwarding partial record to Arizona Supreme Court