

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0150

IN RE TERM OF PARENTAL RIGHTS AS TO R.S.

Appellate Case Information

Case Filed: 24-Jul-2023

Case Closed:

Dept/Composition

Department B

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

Side 1. GERALD S., Appellant

(Litigant Group) GERALD S.

- Gerald S.

Attorneys for: Appellant

John L Popilek, Esq. (AZ Bar No. 6947)

Side 2. ANGELICA S., R.S., Appellee

(Litigant Group) ANGELICA S.

- Angelica S.

Attorneys for: Appellee

Steven H Everts, Esq. (AZ Bar No. 4831)

(Litigant Group) R.S.

- R. S.

CASE STATUS

Apr 30, 2024.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JS520376	Termination of Parental Rights		Thomas Marquoit, Authoring Judge of Order		

2 OPEN DUE DATES

Notice of Intent to File Petition for Review Due

Due By:

Wednesday, May 15, 2024

Re: MEMORANDUM DECISION (Reversed, Remanded) Hon David D Weinzwieg - Author; Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur

Petition for Review to ASC due

Due By:

Thursday, May 30, 2024

Re: MEMORANDUM DECISION (Reversed, Remanded) Hon David D Weinzwieg - Author; Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur

CASE DECISION

30-Apr-2024 MEMORANDUM DECISION

David Weinzwieg.....Author

Andrew Jacobs.....Concur

Jennifer Perkins.....Concur

Filed: 30-Apr-2024

Mandate:

Decision Disposition

Reversed
Remanded

24 PROCEEDING ENTRIES

- 24-Jul-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 07/20/2023 and Notification of Notice of Appeal Filed
- 25-Jul-2023 FILED: Appellate Clerk Notice (606(b))
- 26-Jul-2023 ORDERED: Staying this appeal until 08/25/2023, and authorizing the Maricopa County Superior Court to enter a final order. FURTHER ORDERED: if the superior court enters a signed, final order, the clerk of the superior court must transmit a certified copy of the order to this court by 08/25/2023. FURTHER ORDERED: if the superior court's signed, final order has not been filed before 08/28/2023, the court will dismiss the appeal. FURTHER ORDERED: vacating the transcript due date. No transcript will be due until further order. Amber E Pershon ProTem Judge - Author
- 8-Aug-2023 FILED: E-Record on Appeal: JS520376
Instrument/Minute Entries: Combined
Exhibits: None

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0150****IN RE TERM OF PARENTAL RIGHTS AS TO R.S.****24 PROCEEDING ENTRIES**

5. 9-Aug-2023 ORDERED: Continuing the stay of this appeal until 09/08/2023. FURTHER ORDERED: referring the issue of whether to appoint appellate counsel for the appellant to the Maricopa County Superior Court and authorizing that court to expeditiously determine that matter. If necessary, the court must ensure appellant's waiver of counsel is made knowingly, intelligently, and voluntarily and that appellant is aware of the dangers of self-representation. See Tammy M. v. Dep't of Child Safety, 242 Ariz. 457, 461, ¶ 16 (App. 2017). FURTHER ORDERED: the clerk of the superior court must transmit a certified copy of the ruling to this court by 09/08/2023. Amber E Pershon ProTem Judge - Author
6. 5-Sep-2023 FILED: Returned US Mail, Appellate Clerk Notice (606(b)) dated 07/25/2023, addressed to Gerald S., return to sender, not deliverable as addressed, unable to forward
7. 5-Sep-2023 FILED: Returned US Mail, Order Staying Appeal for a Signed, Final Order, dated 07/26/2023, addressed to Gerald S., return to sender, not deliverable as addressed, unable to forward
8. 5-Sep-2023 FILED: Returned US Mail, Order Staying Appeal and Authorizing the Superior Court to Determine Whether to Appoint Appellate Counsel, dated 08/09/2023, addressed to Gerald S., return to sender, not deliverable as addressed, unable to forward
9. 14-Sep-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes notice of appointment of appellate counsel) (JS520376)
10. 18-Sep-2023 ORDERED: The transcript of the proceedings held on 10/4/2022 must be filed in this court by 10/18/2023. Amber E Pershon ProTem Judge - Author
11. 16-Oct-2023 FILED: Reporter's Transcript - 10/04/2023 - Continued Initial Severance Hearing - Severance Granted (Jan Penfield)
12. 2-Nov-2023 FILED: Notice of Completion of Record
13. 22-Nov-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
14. 19-Dec-2023 ORDERED: The answering brief must be filed by 12/29/2023. If the brief is not filed timely, the court will submit this appeal for decision on the record and the filed briefs. Barbara Vidal Vaught ProTem Judge - Author
15. 28-Dec-2023 FILED: Motion for Extension of Time to File Answering Brief (Motion for Procedural Order); Certificate of Service re: Motion for Extension of Time to File Answering Brief (Appellee)
16. 28-Dec-2023 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee Angelica S.) = GRANTED. Due date EXTENDED from Friday, 12-29-2023 to Monday, 01-29-2024. No further extension will be granted. If the brief is not filed timely, the court will submit this appeal for decision on the record and the opening brief. Barbara Vidal Vaught ProTem Judge - Author
17. 29-Jan-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
18. 30-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
19. 8-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JS520376)
20. 12-Feb-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
21. 26-Feb-2024 CLNDR: CONFERENCE, Department B, 4-9-24, CONFERENCE ROOM.
22. 30-Apr-2024 MEMORANDUM DECISION (Reversed, Remanded) Hon David D Weinzwieg - Author; Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur
23. 30-Apr-2024 FILED: Decision Distribution Notification
24. 30-Apr-2024 FILED: Notice of Juvenile Rule 609