

**Court of Appeals, Division One**

Juvenile

**1 CA-JV 23-0163**

**IN RE DEPENDENCY AS TO A.B. and A.B.**

**Appellate Case Information**

Case Filed: 14-Aug-2023

Case Closed:

**Dept/Composition**

**Department D**

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

**Side 1. DANIEL B., Appellant**

(Litigant Group) DANIEL B.

- Daniel B.

**Attorneys for: Appellant**

Sandra Carr, Esq. (AZ Bar No. 24284)

**Side 2. DEPARTMENT OF CHILD SAFETY, A.B., A.B., Appellee**

(Litigant Group) DCS

- Department of Child Safety

**Attorney for: Appellee DCS**

Dawn Rachelle Williams, Esq. (AZ Bar No. 20730)

(Litigant Group) A.B., A.B.

- A. B.
- A. B.

**Attorneys for: Appellee Children**

Scott W Ruffner, Esq. (AZ Bar No. 23436)

**CASE STATUS**

May 9, 2024.....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
LAP S1500JD202200017	Dependency		Marcus A Kelley, Authoring Judge of Order		

DESCENDENT CASE(S)
ASC CV-24-0059-PR

**2 CASE DECISIONS**

**27-Feb-2024 MEMORANDUM DECISION**

\*\*\*Withdrawn\*\*\*

Withdrawn per order filed 04/01/2024

Filed: **27-Feb-2024**

Mandate:

Decision Disposition

**Affirmed**

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

**09-Apr-2024 MEMORANDUM DECISION**

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

Filed: **09-Apr-2024**

Mandate:

Decision Disposition

**Affirmed in Part  
Vacated in Part**

**41 PROCEEDING ENTRIES**

1. 14-Aug-2023 FILED: Notice of Appeal from La Paz County Superior Court filed 08/10/2023
2. 17-Aug-2023 FILED: Appellate Clerk Notice (606(b))
3. 21-Aug-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)

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4. 30-Aug-2023 FILED: E-Record on Appeal: S1500JD202200017  
Instrument/Minute Entries: Combined  
Digital Exhibits:
5. 11-Sep-2023 FILED: Reporter's Transcript - 04/27/2023 - Trial Day 1 (Michelle Young)
6. 11-Sep-2023 FILED: Reporter's Transcript - 04/28/2023 - Trial Day 2 (Michelle Young)
7. 12-Sep-2023 FILED: Reporter's Transcript - 05/09/2023 - Trial Day 3 (Michelle Young)
8. 13-Sep-2023 FILED: Reporter's Transcript - 06/29/2023 - Trial Day 4 (Michelle Young)
9. 13-Sep-2023 FILED: Notice of Completion of Record
10. 3-Oct-2023 FILED: Motion to Extend (Time to File Opening Brief); Certificate of Service (Appellant)
11. 4-Oct-2023 ORDERED: Motion to Extend (Time to File Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 10-03-2023 to Friday, 10-13-2023 Amber E Pershon ProTem Judge - Author
12. 16-Oct-2023 FILED: Motion to Extend (Time to File Opening Brief); Certificate of Service (Appellant)
13. 16-Oct-2023 ORDERED: Motion to Extend (Time to File Opening Brief) (Appellant) = GRANTED/ extending the time to file the opening brief from 10/13/2023 to 11/02/2023. If the opening brief is not timely filed as required, the court may set a show cause hearing. Amber E Pershon ProTem Judge - Author
14. 2-Nov-2023 FILED: Second Motion to Extend (Opening Brief); Certificate of Service (Appellant)
15. 2-Nov-2023 ORDERED: Second Motion to Extend (Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Thursday, 11-02-2023 to Monday, 11-06-2023. If the opening brief is not timely filed as required, the court may set a show cause hearing. Amber E Pershon ProTem Judge - Author
16. 6-Nov-2023 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
17. 22-Nov-2023 FILED: DCS's Motion for Extension of Time to File Answering Brief (Motion for a Procedural Order); DCS's Certificate of Service (Appellee DCS)
18. 22-Nov-2023 ORDERED: DCS's Motion for Extension of Time to File Answering Brief = GRANTED. Due date EXTENDED from Monday, 11-27-2023 to Monday, 12-18-2023. The court will not grant any further extension absent extraordinary circumstances. Amber E Pershon ProTem Judge - Author
19. 18-Dec-2023 FILED: Appellee Department of Child Safety's Answering Brief; Department of Child Safety's Certificate of Compliance; Department of Child Safety's Certificate of Service (Appellee DCS)
20. 19-Dec-2023 FILED: Notice of Errata; Certificate of Service (Appellee DCS)
21. 19-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (S1500JD202200017)
22. 21-Dec-2023 CLNDR: CONFERENCE, Department D, 2-14-24, COURTROOM 2.
23. 27-Dec-2023 FILED: Motion to Extend (Time to File Reply Brief); Certificate of Service (Appellant)
24. 28-Dec-2023 ORDERED: Motion to Extend (Time to File Reply Brief) (Appellant) = GRANTED. Due date EXTENDED from Thursday, 12-28-2023 to Tuesday, 01-02-2024. Barbara Vidal Vaught ProTem Judge - Author
25. 2-Jan-2024 FILED: Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
26. 27-Feb-2024 MEMORANDUM DECISION (Affirmed) Hon Jennifer B Campbell - Author; Hon Samuel A Thumma - Concur; Hon Michael J Brown - Concur  
  
[Withdrawn per order filed 04/01/2024]
27. 27-Feb-2024 FILED: Decision Distribution Notification
28. 27-Feb-2024 FILED: Notice of Juvenile Rule 609
29. 12-Mar-2024 FILED: (Notice of Intent to File Petition for Review); Certificate of Service (Appellant)
30. 13-Mar-2024 FILED: Motion to Reconsider; Certificate of Service (Appellant)
31. 15-Mar-2024 ORDERED: Appellee Department of Child Safety may file a response to appellant's motion for reconsideration no later than 03/28/2024. No reply shall be filed. Hon Jennifer B Campbell - Author

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32. 27-Mar-2024 FILED: ASC Order filed 03/27/2024 re: Granting the motion and staying the deadline to file the petition for review in this matter within seven days after the court of appeals issues its ruling on the Motion to Reconsider.
33. 28-Mar-2024 FILED: DCS's Response to Motion to Reconsider; Order Allowing the Department of Child Safety to File a Response to Appellant's Motion for Reconsideration; DCS's Certificate of Service (Appellee DCS)
34. 1-Apr-2024 ORDERED: Motion to Reconsider (Appellant) = DENIED as moot. Hon Jennifer B Campbell - Author
35. 1-Apr-2024 ORDERED: Directing the Clerk of the Court to withdraw the Memorandum Decision filed 02/27/2024. An amended Memorandum Decision will be issued in due course. Hon Jennifer B Campbell - Author
36. 9-Apr-2024 MEMORANDUM DECISION (Affirmed in Part, Vacated in Part) Hon Jennifer B Campbell - Author; Hon Samuel A Thumma - Concur; Hon Michael J Brown - Concur
37. 9-Apr-2024 FILED: Decision Distribution Notification
38. 9-Apr-2024 FILED: Notice of Juvenile Rule 609
39. 23-Apr-2024 FILED: (Notice of Intent to File Petition for Review); Certificate of Service (Appellant)
40. 10-May-2024 FILED: Email Notice from ASC re: Petition for Review filed 5/9/24; request for partial record
41. 10-May-2024 FILED: Letter forwarding partial record to Arizona Supreme Court