

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0174

IN RE TERM OF PARENTAL RIGHTS AS TO M.K. and M.K.

Appellate Case Information

Case Filed: 6-Sep-2023

Case Closed:

Dept/Composition

Department F

Hon. Daniel J Kiley
Hon. Kent E Cattani
Hon. D Steven Williams

Side 1. ZION K., Appellant

(Litigant Group) ZION K.

• Zion K.

PRO SE

Advisory Counsel for: Appellant

Edward D Johnson, Esq. (AZ Bar No. 27437)

Side 2. DEPARTMENT OF CHILD SAFETY, M.K., M.K., Appellee

(Litigant Group) DCS

• Department of Child Safety

Attorneys for: Appellee DCS

Jennifer R Blum, Esq. (AZ Bar No. 29716)

(Litigant Group) M.K., M.K.

• M. K.

Attorneys for: Appellee Children

Chad D Niven, Esq. (AZ Bar No. 24495)

• M. K.

Andrea Curry, Esq. (AZ Bar No. 22150)

CASE STATUS

Jul 11, 2024.....Decision Rendered

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JD533308	Termination of Parental Rights		Ronee Korbin Steiner, Authoring Judge of Order		
MAR JS21437	Termination of Parental Rights		Ronee Korbin Steiner, Authoring Judge of Order		

2 OPEN DUE DATES

Notice of Intent to File Petition for Review Due

Due By:

Friday, July 26, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Daniel J Kiley - Author; Hon Kent E Cattani - Concur; Hon D Steven Williams - Concur

Petition for Review to ASC due

Due By:

Monday, August 12, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Daniel J Kiley - Author; Hon Kent E Cattani - Concur; Hon D Steven Williams - Concur

CASE DECISION

11-Jul-2024 MEMORANDUM DECISION

Daniel Kiley.....Author

Kent Cattani.....Concur

D Williams.....Concur

Filed: 11-Jul-2024

Mandate:

Decision Disposition

Affirmed

45 PROCEEDING ENTRIES

- 6-Sep-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/31/2023 and Notification of Notice of Appeal Filed (JD533308)
- 6-Sep-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/31/2023 and Notification of Notice of Appeal Filed (JS21437)
- 11-Sep-2023 FILED: Appellate Clerk Notice (606(b))

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0174****IN RE TERM OF PARENTAL RIGHTS AS TO M.K. and M.K.****45 PROCEEDING ENTRIES**

4. 12-Sep-2023 ORDERED: Staying this appeal until 10/12/2023, to permit appellant to seek relief in superior court under Rule 603(a)(5)(A). FURTHER ORDERED: if appellant moves for relief under Rule 603(a)(5)(A), authorizing the Maricopa County Superior Court to determine whether to excuse the untimely filing of the notice of appeal pursuant to Rule 603(a)(5). FURTHER ORDERED: the clerk of the superior court must transmit a certified copy of the ruling to this court by 10/12/2023. FURTHER ORDERED: if an order vesting jurisdiction in this court has not been filed before 10/13/2023, the court will dismiss the appeal. FURTHER ORDERED: vacating the transcripts due date. No transcripts will be due until further order. Amber E Pershon ProTem Judge - Author
5. 14-Sep-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
6. 19-Sep-2023 FILED: E-Record on Appeal: JD533308
Instrument/Minute Entries: Combined
Exhibits: Hearing Date: 07/14/21 - LIST # E1
Hearing Date: 09/14/21 - LIST # E1 E2
Hearing Date: 08/08/23 - 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 E27 E28 E30 E32 E34 E35 E36 E37 E38 E39 E40 E41 E42 E43 E44 E45
Hearing Date: 03/01/24 - LIST # E1
7. 19-Sep-2023 FILED: E-Record on Appeal: JS21437
Instrument/Minute Entries: Combined
Exhibits: None
8. 29-Sep-2023 FILED: Advisory Counsel for Appellant Motion for Extension of Time to Comply with Court Order (Motion for Procedural Order); Advisory Counsel for Appellants's Certificate of Service (Appellant)
9. 2-Oct-2023 ORDERED: Continuing the stay of this appeal until 11/01/2023. FURTHER ORDERED: authorizing the superior court to advise appellant of his right to appointed counsel on appeal and if necessary, to ensure his waiver of counsel is made knowingly, intelligently, and voluntarily and that appellant is aware of the dangers of selfrepresentation. 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 11/01/2023. Amber E Pershon ProTem Judge - Author
10. 23-Oct-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD533308)
11. 23-Oct-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JS21437)
12. 24-Oct-2023 FILED: DCS's Motion to Extend Stay (Motion for Procedural Order); DCS's Certificate of Service (Appellee DCS)
13. 25-Oct-2023 ORDERED: DCS's Motion to Extend Stay (Appellee DCS) = GRANTED/ staying this appeal until 12/26/2023. 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: Counsel for appellant must file an amended notice of appeal in Maricopa County Superior Court, complying with Rule 603(c) by 11/9/2023. If no amended notice of appeal is filed, the court will dismiss the appeal. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the amended notice of appeal, if filed, and the court's rulings to this court by 12/26/2023. FURTHER ORDERED: The stay will be lifted automatically on 12/27/2023, 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
14. 6-Nov-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD533308)
15. 6-Nov-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JS214137)
16. 27-Dec-2023 ORDERED: Continuing the stay of this appeal until 01/26/2024. FURTHER ORDERED: Appellee DCS shall file in this court a status report by 01/08/2024, explaining the status of the superior court proceedings and the steps DCS has taken to address this issue. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the court's rulings to this court by 01/26/2024. FURTHER ORDERED: The stay will be lifted automatically on 01/29/2024, unless before that date DCS files a motion to continue the stay of this appeal that describes the status of the superior court proceedings. Barbara Vidal Vaught ProTem Judge - Author
17. 8-Jan-2024 FILED: DCS's Status Report; DCS's Certificate of Service (Appellee DCS)
18. 26-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD533308)
19. 26-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JS21437)
20. 31-Jan-2024 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: The transcripts of the proceedings held on 08/08/2023 and 08/09/2023, must be filed in the court by 03/01/2024. Hon David B Gass - Author
21. 14-Feb-2024 FILED: Appellant's Opening Brief (Appellant Pro Per)

Stricken per 02/14/2024 order

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22.	14-Feb-2024	ORDERED: Striking the opening brief. FURTHER ORDERED: Appellant Zion K. may refile his opening brief once the notice of completion has been issued. Appellant should also ensure his opening brief, when refiled, includes a completed certificate of service that states he has served copies of his opening brief on the parties in this matter pursuant to Arizona Rule of Civil Appellate Procedure 4(f)&(G). Patrick Philippe Lacroix ProTem Judge - Author
23.	26-Feb-2024	FILED: Reporter's Transcript - 08/08/2023 - Contested Severance Hearing (Ellen S. Kolman)
24.	26-Feb-2024	FILED: Reporter's Transcript - 08/09/2023 - Contested Severance Hearing - Severance Granted (Jan Penfield)
25.	26-Feb-2024	FILED: Notice of Completion of Record
26.	26-Feb-2024	FILED: Motion: To Send the Attorney in Fact a Copy of the Opening Brief (Appellant Pro Per)
27.	4-Mar-2024	FILED: Letter, 3/4/24, from Court to Appellant, enclosing copy of docket
28.	11-Mar-2024	FILED: Motion for Extension of Time (to file Opening Brief) and I need the # of pages in both Opening Briefs/Other (Appellant Pro Per)
29.	11-Mar-2024	ORDERED: Denying appellant's request for information concerning the number of pages in the briefs filed in case number 1 CA-CR 22-0362. FURTHER ORDERED: Motion for Extension of Time (to file Opening Brief) = GRANTED. Due date EXTENDED from Monday, 03-18-2024 to Monday, 04-08-2024. The court will not grant any further extension absent extraordinary circumstances. Patrick Philippe Lacroix ProTem Judge - Author
30.	15-Mar-2024	FILED: Appellant's Opening Brief (Appellant Pro Per)
31.	4-Apr-2024	FILED: Appellee Department of Child Safety's Answering Brief; Appellee Department of Child Safety's Certificate of Compliance; DCS's Certificate of Service (Appellee DCS)
32.	15-Apr-2024	FILED: Notice of Change of Address (Appellant Pro Per)
33.	26-Apr-2024	CLNDR: CONFERENCE, Department F, 5-30-24, CONFERENCE ROOM.
34.	1-May-2024	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
35.	6-May-2024	FILED: Motion to Get a Full Copy of the Case Docket (Appellant Pro Per)
36.	9-May-2024	FILED: Notice to the Court; DCS's Certificate of Service (Appellee DCS)
37.	10-May-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD533308)
38.	10-May-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record (JS21437)
39.	13-May-2024	FILED: Letter, 5/13/24, from Court to Appellant, enclosing copy of docket
40.	15-May-2024	FILED: Letter, undated, from Appellant to Court, requesting copies of briefs
41.	29-May-2024	ORDERED: Vacating the conference currently set for 05/30/2024 and resetting the conference in this matter for 06/06/2024. Hon Daniel J Kiley - Author
42.	3-Jun-2024	FILED: Appellant's Reply Brief (Appellant Pro Per)
43.	11-Jul-2024	MEMORANDUM DECISION (Affirmed) Hon Daniel J Kiley - Author; Hon Kent E Cattani - Concur; Hon D Steven Williams - Concu
44.	11-Jul-2024	FILED: Decision Distribution Notification
45.	11-Jul-2024	FILED: Notice of Juvenile Rule 609