

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0206

IN RE DEPENDENCY AS TO D.S., et al.

Appellate Case Information

Case Filed: 14-Nov-2023

Case Closed: 6-May-2024

Decision

Dept/Composition

Department D

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

Side 1. TERRIONA M., Appellant

(Litigant Group) TERRIONA M.

- Terriona M.

Attorneys for: Appellant Terriona M.

Suzanne W Sanchez, Esq. (AZ Bar No. 14091)

(Litigant Group) DARYL S. [Dismissed per 02/22/2024 Order]

- Daryl S.

Side 2. DEPARTMENT OF CHILD SAFETY, D.S., T.M., T.S., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee

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

(Litigant Group) D.S., T.S.

- D. S.

Attorneys for: Appellee Children D.S. and T.S.

- T. S.

Kristen A Rothman, Esq. (AZ Bar No. 29747)

(Litigant Group) T.M.

- T. M.

Attorneys for: Appellee Child T.M.

Thomas A Vierling, Esq. (AZ Bar No. 14286)

CASE STATUS

May 6, 2024.....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JD31954	Dependency		Melody Harmon, Authoring Judge of Order		

CASE DECISION

18-Apr-2024 **MEMORANDUM DECISION**

Samuel Thumma.....Author

Jennifer Campbell.....Concur

Michael Brown.....Concur

Filed: 18-Apr-2024

Mandate: 06-May-2024

Decision Disposition

Affirmed

31 PROCEEDING ENTRIES

1.	14-Nov-2023	FILED: Notice of Appeal from Maricopa County Superior Court filed 11/09/2023 and Notification of Notice of Appeal Filed (Daryl S.).
2.	14-Nov-2023	FILED: Appellate Clerk Notice (606(b))
3.	20-Nov-2023	FILED: Notice of Appeal from Maricopa County Superior Court filed 11/20/2023 and Notification of Notice of Appeal Filed (Terriona M.).
4.	22-Nov-2023	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
5.	27-Nov-2023	FILED: Court Reporter Kelly DesLauriers Request for Extension of Time
6.	27-Nov-2023	ORDERED: Court Reporter Kelly DesLauriers Request for Extension of Time = GRANTED. Due Date EXTENDED from Monday, 12/11/2023 to Friday, 12/15/2023 to file the transcripts of the proceedings held on 07/19/2023 and 10/26/2023. Absent unforeseen and extraordinary circumstances, the court will not grant another extension request. Amber E Pershon ProTem Judge - Author
7.	28-Nov-2023	FILED: Additional Record on Appeal: JD31954 Physical Exhibits Hearing Date: 05/15/2023 - LIST # 40 41 63 67 in a Manila Envelope

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0206****IN RE DEPENDENCY AS TO D.S., et al.****31 PROCEEDING ENTRIES**

8. 29-Nov-2023 FILED: E-Record on Appeal: JD31954
Instrument/Minute Entries: Combined
Exhibits:
Hearing Date: 12/12/2022 - LIST # E1
Hearing Date: 5/15/2023 - LIST # E1 E5 E6 E7 E10 E12 E14 E15 E16 E17 E18 E19 E25 E26 E28 E29 E30 E31 E35 E36 E37
E38 E39 E42 E43 E44 E45 E46 E47 E48 E49 E51 E52 E64 E65 E66
Hearing Date: 11/29/2023 - LIST # E1 E2 E3
9. 15-Dec-2023 FILED: Reporter's Transcript - 07/19/2023 - Dependency Adjudication Hearing as to Mother and Father Scott (Susan Leong)
10. 15-Dec-2023 FILED: Reporter's Transcript - 10/26/2023 - Dependency Adjudication Hearing, Evidentiary Hearing, Oral Argument Hearing, Hearings Continued, Uncalendared Permanency Planning Hearing (Tamara Bentzur)
11. 15-Dec-2023 FILED: Reporter's Transcript - 10/31/2023 - Status Conference (Aliza Blumenfeld)
12. 15-Dec-2023 FILED: Notice of Completion of Record
13. 27-Dec-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 12/20/2023 and Notification of Notice of Appeal Filed (Terriona M.)
14. 27-Dec-2023 ORDERED: Vacating the opening brief due dates. No briefs will be due until further order. FURTHER ORDERED: The transcript of the proceedings held on 11/29/2023 must be filed in this court by 01/26/2024. Barbara Vidal Vaught ProTem Judge - Author
15. 9-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD31954)
16. 11-Jan-2024 FILED: Reporter's Transcript - 11/29/2023 - Contested Dependency Hearing as to Mother and Father Scott / Contested Dependency - Dependency Found as to Mother and Child Ashauna (Kari Watford)
17. 11-Jan-2024 ORDERED: Appellants Daryl S. and Terriona M. must file their opening briefs in this court on or before 01/31/2024. Patrick Philippe Lacroix ProTem Judge - Author
18. 30-Jan-2024 FILED: Appellant Terriona M.'s Opening Brief; Certificate of Compliance for Appellant Terriona M.'s Opening Brief; Certificate of Service for Appellant Terriona M.'s Opening Brief (Appellant Terriona M.)
19. 31-Jan-2024 FILED: Rule 607(e)(1)(B) Notice; Certificate of Service (Appellant Daryl S.)
20. 1-Feb-2024 ORDERED: Appellant Daryl S. may file an opening brief on or before 02/16/2024. 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 his appeal based on counsel's notice under Rule 607(e)(4). FURTHER ORDERED: H. Clark Jones 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 H. Clark Jones as advisory counsel for appellant. Patrick Philippe Lacroix ProTem Judge - Author
21. 7-Feb-2024 FILED: Returned US Mail, Order Extending Time to File Opening Brief and Designating Counsel as Advisory Only dated 02/01/2024, addressed to Daryl S., Return to Sender, Attempted Not Known, Unable to Forward.
22. 20-Feb-2024 FILED: Appellee Department of Child Safety's Answering Brief (as to Appellant Terriona M.); Appellee Department of Child Safety's Certificate of Compliance; Appellee Department of Child Safety's Certificate of Service (Appellee DCS)
23. 21-Feb-2024 FILED: Appellant Terriona M.'s Notice of No Reply Brief; Certificate of Service for Appellant Terriona M.'s Notice of No Reply Brief (Appellant Terriona M.)
24. 22-Feb-2024 ORDERED: Dismissing Daryl S.'s appeal. Patrick Philippe Lacroix ProTem Judge - Author
25. 26-Feb-2024 CLNDR: CONFERENCE, Department D, 4-10-24, COURTROOM 2.
26. 26-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
27. 6-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD31954)
28. 18-Apr-2024 MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Jennifer B Campbell - Concur; Hon Michael J Brown - Concur
29. 18-Apr-2024 FILED: Decision Distribution Notification
30. 18-Apr-2024 FILED: Notice of Juvenile Rule 609
31. 6-May-2024 FILED: Mandate, Physical record to clerk, Maricopa County Superior Court.