

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0064

FINCHEM v. FONTES et al.

Appellate Case Information

Case Filed: 3-Feb-2023
Case Closed:

Dept/Composition

Side 1. MARK FINCHEM, Plaintiff/Appellant

(Litigant Group) MARK FINCHEM

- Mark Finchem

Attorney for: Plaintiff/Appellant

Daniel J McCauley, III, Esq. (AZ Bar No. 15183)

Side 2. ADRIAN FONTES et al., Defendant/Appellee

(Litigant Group) ADRIAN FONTES (As Contestee)

- Adrian P Fontes
AZ Bar No. 22162
[Current Member]

Atty for: Defendant/Appellee Fontes (As Contestee)

Craig A Morgan, Esq. (AZ Bar No. 23373)
Shayna Gabrielle Stuart, Esq. (AZ Bar No. 34819)
Jake Tyler Rapp, Esq. (AZ Bar No. 36208)

(Litigant Group) ADRIAN FONTES (As Secretary of State)

- Adrian P Fontes
AZ Bar No. 22162
[Current Member]

Atty for: Defendant/Appellee Fontes (Sec of State)

Amy B Chan, Esq. (AZ Bar No. 19678)

CASE STATUS

Apr 7, 2023.....Stayed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-053927	Verified Statement of Election Contest		Melissa Iyer Julian, Authoring Judge of Order		

OPEN DUE DATE

Misc Court Ordered Document due

Due By:

Monday, May 22, 2023

Re: * ORDERED: Joint Motion for a Procedural Order (staying appeal) (Appellee) = GRANTED. FURTHER ORDERED: Staying this appeal pending further order of the court and vacating the 04/07/2023 due date for the opening brief. FURTHER ORDERED: Within 10 days after

PENDING MATTER

Div 1 Request for Oral Argument

Filed: 15-Mar-2023

Request for Oral Argument (Appellant)

19 PROCEEDING ENTRIES

- 3-Feb-2023 FILED: Index of Record, Notice of Appeal filed in Superior Court of Maricopa County 12/21/22
- 3-Feb-2023 FILED: Record on Appeal: Combined Instruments/Minute Entries Exhibits: None
- 6-Feb-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 15-Feb-2023 FILED: Notice of Payment of Appellant's Filing Fee; Certificate of Service (Appellant)
- 21-Feb-2023 FILED: Notice of Substitution of Counsel for Defendant Arizona Secretary of State Adrian Fontes in His Official Capacity; Certificate of Service (Appellee Secretary of State)
- 22-Feb-2023 RECEIPT No.: 2023-00172 ; \$280.00, Authorization: #53010321820, Applied to: MARK FINCHEM - Class A Filing Fee (\$280.00) Paid for: McCauley Law Offices PC - By nCourt LLC
- 24-Feb-2023 FILED: Case Management Statement (Appellant)

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19 PROCEEDING ENTRIES

8. 24-Feb-2023 ORDERED: Notice of Substitution of Counsel for Defendant Arizona Secretary of State Adrian Fontes in His Official Capacity (Appellee Secretary of State) = GRANTED and substituting Amy B. Chan, General Counsel for the Arizona Secretary of State, as counsel for appellee Secretary of State Adrian Fontes, in his official capacity, in place of D. Andrew Gaona of Coppersmith Brockelman, PLC. Melina Brill ProTem Judge - Author
9. 27-Feb-2023 RECEIPT No.: 2023-00190 ; \$140.00, Authorization: #58010692252, Applied to: ADRIAN FONTES (As Secretary of State) - Overpayment Class B (\$140.00) Paid for: Arizona Secretary of State's Office - By nCourt LLC
10. 3-Mar-2023 FILED: Appellate Clerk Notice re: Appellee's Fee (as Contestee) Due; Appellant's Brief Due
11. 6-Mar-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee Contestee)
12. 6-Mar-2023 FILED: Appellee Adrian Fontes' Statement Correcting and Clarifying Appellant's Case Management Statement; Certificate of Service (Appellee Contestee)
13. 13-Mar-2023 RECEIPT No.: 2023-00260 ; \$140.00, Authorization: #72007131990, Applied to: ADRIAN FONTES (As Contestee) - Class B Filing Fee (\$140.00) Paid for: Sherman & Howard LLC - By nCourt LLC
14. 15-Mar-2023 FILED: Updated Case Management Statement; Under Advisement Ruling (Appellant)
15. 15-Mar-2023 FILED: Notice of Filing and E-Service of Transcript; Reporter's Transcript - 12/16/2022 - Oral Argument (Lori Rahtes); Certificate of Service (Appellant)
16. 15-Mar-2023 FILED: Request for Oral Argument; Certificate of Service (Appellant)
17. 15-Mar-2023 FILED: Letter, dated 03/15/2023, from COA1 to Appellee Secretary of State re: Refund of Exempt Filing Fee
18. 6-Apr-2023 FILED: Joint Motion for a Procedural Order (staying appeal); Certificate of Service (Appellee)
19. 7-Apr-2023 ORDERED: Joint Motion for a Procedural Order (staying appeal) (Appellee) = GRANTED. FURTHER ORDERED: Staying this appeal pending further order of the court and vacating the 04/07/2023 due date for the opening brief. FURTHER ORDERED: Within 10 days after appellant files a notice of appeal from the final judgment, appellant shall notify this court of such filing and attach the notice of appeal and final judgment to the notice. FURTHER ORDERED: Directing appellant to file notice in this court by 05/22/2023, indicating the status of the superior court proceedings if a notice pursuant to the previous paragraph is not filed before that date. Melina Brill ProTem Judge - Author