

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-004969

02/18/2003

HONORABLE MAURICE PORTLEY

CLERK OF THE COURT
C. Danos
Deputy

IN RE THE MARRIAGE OF
MELINDA FAYE CASSELMAN

FILED: 02/24/2003

SUSAN M SWICK

AND

RUDY RAMON RASCON JR.

VICTORIA MIRANDA

MINUTE ENTRY

1:58 p.m. This is the time set for Emergency Return Hearing. Petitioners are neither present nor represented by counsel. Respondent is present with counsel, Victoria Miranda.

Court reporter, Denise Vaishville, is present.

The Court has just received a Dependency Petition filed in the Juvenile Court as well as orders entered in the Juvenile Court relative to this matter.

LET THE RECORD REFLECT the Court provides the documents it received to Respondent/Father's counsel for review.

It appears to the Court that Petitioners Steve and Elaine Casselman hired attorney John Popilek who filed the dependency last week.

2:00 p.m. Petitioners Steve and Elaine Casselman are present with counsel, Susan M. Swick.

Petitioners are advised that the Court provided its copies of the Juvenile Court documents plus the orders from Commissioner Rees to counsel for Respondent.

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Since the Petitioner in this action, Melinda Faye Casselman, is now deceased and there is a Juvenile matter that has been initiated, this Superior Court matter abates as this Court does not have jurisdiction. The Juvenile Court now has jurisdiction over the children.

The parties are advised that the Juvenile Court has priority under Title VIII.

The Court notes there is a Preliminary Protective Hearing scheduled on February 25, 2003, at 9:45 a.m. in Juvenile Court.

Petitioner having requested to stay this action in Superior Court in case the matter comes back from Juvenile Court,

The parties are advised that to the extent that it becomes an issue, the parties may contact the judicial officer assigned to the case if the matter returns from Juvenile Court.

IT IS ORDERED vacating this hearing because of the Juvenile dependency matter.

2:04 p.m. Matter concludes.