

In the
Indiana Supreme Court

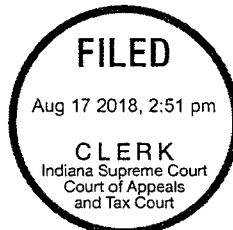
Phillip Grigalanz,
Appellant,

v.

Kristi Grigalanz,
Appellee.

Court of Appeals Case No.
64A03-1611-DR-02736

Trial Court Case No.
64D01-1508-DR-006999



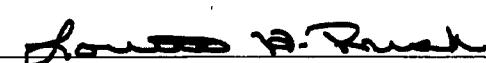
Order

The Court of Appeals dismissed this appeal on March 23, 2017 for failure to timely file an Appellant's Brief; and after it denied a petition for rehearing, Appellant's petition to transfer was due no later than May 22, 2017. On September 12, 2017, this Court denied Appellant's request for leave to file a belated petition to transfer; and on October 18, 2017, this Court denied rehearing from that decision.

Nearly a year later, Appellant has now filed a "Motion for Arrest from [sic] Judgment (Motion for Writ of Error Coram Nobis)." Notwithstanding Indiana Trial Rule 60(B) (providing in part, "Writs of coram nobis . . . are abolished"), the motion in substance seeks reconsideration of our September 12 and October 18 decisions. Appellant alleges that factors beyond his control related to his incarceration in Illinois prevented him from timely filing his appellate briefs and petitions, and that he has thereby been denied "access to process" in violation of the Fifth and Fourteenth Amendments to the United States Constitution.

Being duly advised, the Court DENIES Appellant's "Motion for Arrest from [sic] Judgment (Motion for Writ of Error Coram Nobis)." **Further repetitive motions of this nature may be summarily denied.**

Done at Indianapolis, Indiana, on 8/17/2018.


Loretta H. Rush
Chief Justice of Indiana

IN THE
COURT OF APPEALS OF INDIANA

Phillip Grigalanz,

Appellant,

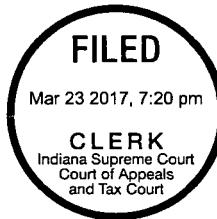
v.

Kristi Grigalanz,

Appellee.

Court of Appeals Case No.
64A03-1611-DR-2736

Order



[1] The Notice of Completion of Transcript was served on February 6, 2017. Pursuant to Indiana Appellate Rule 45(B)(1)(b), the Appellant's Brief should have been filed within thirty (30) days of the service of the Notice of Completion of Transcript. Appellant has not timely filed an Appellant's Brief. Appellant, pro se, has filed a Motion for Interlocutory Order to Cease and Desist.

[2] Having reviewed the matter, the Court finds and orders as follows:

1. Because Appellant has not timely filed an Appellant's Brief, this appeal is dismissed with prejudice pursuant to Indiana Appellate Rule 45(D).
2. Appellant's Motion for Interlocutory Order to Cease and Desist is denied as moot.
3. The Clerk of this Court is directed to send a copy of this Order to the parties, the trial court, and the Porter Circuit and Superior Courts Clerk.
4. The Porter Circuit and Superior Courts Clerk is directed to file a copy of this order under Lower Cause Number 64D01-1508-DR-6999, and, pursuant to Indiana Trial Rule 77(D), the Clerk shall place the contents of this order in the Record of Judgments and Orders.

Ordered 3/23/2017

Elaine B. Brown

Acting Chief Judge

IN THE

COURT OF APPEALS OF INDIANA

Phillip Grigalanz,

Appellant,

v.

Kristi Grigalanz,

Appellee.

Court of Appeals Case No.
64A03-1611-DR-2736

Order

[1] Appellant, pro se, has filed a Motion for Leave to File in which he asks this Court leave to file a belated Appellant's Brief. A review of this Court's online docket indicates that this appeal was dismissed on March 23, 2017.

[2] Having reviewed the matter, the Court finds and orders as follows:

Appellant's Motion for Leave to File is denied.

Ordered 5/26/2017

Altice, J., Barteau, Friedlander, Sr.JJ., concur.

For the Court,

Nancy Harris Vaidik

Chief Judge

In the
Indiana Supreme Court

Phillip Grigalanz,
Appellant,

v.

Kristi Grigalanz,
Appellee.



Court of Appeals Case No.
64A03-1611-DR-2736

Trial Court Case No.
64D01-1508-DR-006999

Order

On March 23, 2017, the Court of Appeals dismissed this appeal for Appellant's failure to timely file an Appellant's Brief. On April 1, Appellant filed a "Motion to Correct Error" (which was in substance a petition for rehearing), which the Court of Appeals denied on April 21. Accordingly, a petition to transfer was due no later than May 22.

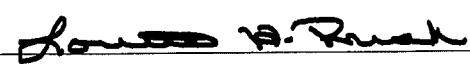
On May 11, Appellant filed various motions that, construed together, sought leave from the Court of Appeals to accept a belated Appellant's Brief tendered that date. The Court of Appeals denied that request.

On July 12, Appellant tendered a defective 78-page motion seeking leave to file a belated and defective petition to transfer, a proposed petition to transfer and two-volume appendix, and three other defective motions. The Clerk notified Appellant by letter of July 19 that the defective motions, and the proposed petition to transfer and appendix, had been received but not filed. Then on August 16, Appellant filed a 4-page amended motion for leave to file a belated petition to transfer, a 59-page amended motion for leave to file various evidence, and a "Notice" of the Appellee's address; and he tendered a defective appendix to petition to transfer.

Appellate Rule 57(C) unambiguously provides that "no extension of time shall be granted" to file a petition to transfer, and the Court declined to deviate from that mandate.

Being duly advised, the Court DENIES the appellant's motion to file a belated petition to transfer and therefore DENIES AS MOOT all other pending motions.

Done at Indianapolis, Indiana, on 9/12/2017.


Loretta H. Rush
Chief Justice of Indiana

In the
Indiana Supreme Court

Phillip Grigalanz,
Appellant,

v.

Kristi Grigalanz,
Appellee.

Court of Appeals Case No.
64A03-1611-DR-2736

Trial Court Case No.
64D01-1508-DR-6999

FILED

Oct 18 2017, 3:57 pm

CLERK
Indiana Supreme Court
Court of Appeals
and Tax Court

Order

On September 12, 2017, the Court denied Appellant's motion for permission to file a belated petition to transfer. Appellant, *pro se*, has now filed a "Reply and Petition for Rehearing," which in substance requests rehearing of the Court's order denying the belated filing. Appellate Rule 58 provides that a party may seek rehearing only from (1) a published opinion; (2) a not-for-publication memorandum decision; (3) an order dismissing an appeal; and (4) an order declining to authorize the filing of a successive petition for post-conviction relief. Because an order denying permission for a belated filing is not within any of those categories, no petition for rehearing may be filed from that decision.

Being duly advised, the Court DENIES Appellant's "Reply and Petition for Rehearing." This appeal is at an end.

Done at Indianapolis, Indiana, on 10/18/2017.

Loretta H. Rush
Loretta H. Rush
Chief Justice of Indiana

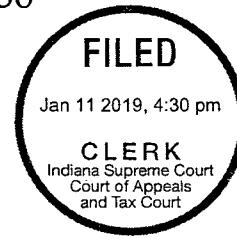
IN THE
COURT OF APPEALS OF INDIANA

Phillip Grigalanz,
Appellant,

v.

Kristi Grigalanz,
Appellee.

Court of Appeals Case No.
64A03-1611-DR-2736



Order

- [1] Appellant, pro se, has filed a Motion for Relief from Judgment, or in the Alternative, Motion for Leave to File Belated Notice of Appeal.
- [2] A review of this Court's docket confirms that this appeal was dismissed on March 23, 2017 for failure to timely file an Appellant's Brief. Appellant's Motion to Correct Error on Appeal was denied on April 21, 2017. On October 18, 2017, this Court issued an order denying the Appellant's Reply and Petition for Rehearing, noting that this appeal "is at an end." Meanwhile, Appellant attempted to pursue a belated petition for transfer with the Indiana Supreme Court. On September 12, 2017, the Supreme Court denied Appellant's request for leave to file a belated petition for transfer. On October 18, 2017, the Supreme Court denied rehearing from that decision.
- [3] Nearly one year later, Appellant filed a "Motion for Arrest [sic] from Judgment (Motion for Writ of Error Coram Nobis)," wherein Appellant, in substance, sought review of the Supreme Court's September 12 and October 18 decisions. In an order dated August 17, 2018, the Supreme Court denied Appellant's motion, and advised Appellant that further repetitive motions of this nature may be summarily denied.

[4] Having reviewed the matter, the Court finds and orders as follows:

Motion for Relief from Judgment, or in the Alternative, Motion for Leave to File Belated Notice of Appeal is denied.

[5] Ordered 1/11/2019

Nancy Harris Vaidik

Chief Judge