

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 15-0432

STATE v. BOLTON

Appellate Case Information

Case Filed: 24-Jun-2015

Case Closed:

Dept/Composition

Department B

Hon. Kent E Cattani
Hon. Samuel A Thumma
Hon. Randall M Howe

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Joseph T Maziarz, Esq. (AZ Bar No. 9212)

Side 2. THOMAS FORREST BOLTON, Appellant

(Litigant Group) THOMAS FORREST BOLTON

- Thomas Forrest Bolton

Attorneys for: Appellant

Nicole S Murray, Esq. (AZ Bar No. 31427)

CASE STATUS

Jan 13, 2017....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV P1300CR201300942	Sexual Assault, Class 2; Kidnapping, Class 2	14 Years; 10 Years	Tina R Ainley, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-16-0501-PR

CASE DECISION

18-Oct-2016 MEMORANDUM DECISION

Kent Cattani.....Author
Samuel Thumma.....Concur
Randall Howe.....Concur

Filed: 18-Oct-2016 Mandate:

Decision Disposition

**Affirmed in Part
Convictions Vacated in Part
Sentence Vacated**

43 PROCEEDING ENTRIES

- 24-Jun-2015 FILED: Notice of Appeal from Yavapai County Superior Court filed 06/09/15. Notification sent to Court Reporters dated 06/11/2015.
- 24-Jun-2015 FILED: Reporters Transcript (10/15/14, 10/23/14) [Steven King] filed with e-record
- 24-Jun-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 117
Exhibits: None
- 1-Jul-2015 FILED: Notice of Appearance; Certificate of Service (Appellant)
- 1-Jul-2015 FILED: Motion to Designate the Record; Certificate of Service (Appellant)
- 10-Jul-2015 ORDERED: Court Reporter Steven King transcripts dated 3/23/15, 4/1/15, 4/8/15, 4/9/15, 4/15/15, 6/9/15 due 8/10/15. Hon Samuel A Thumma - Author
- 24-Aug-2015 FILED: Reporters Transcript (04/01/15, 04/08/15, 04/09/15, 04/10/15, 04/15/15, 04/16/15) [Steven King]

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8. 3-Sep-2015 ORDERED: Court Reporter Steven King due Dates EXTENDED to 10/05/2015 for Transcripts dated 06/09/2015, 03/23/2015 or OSC on 10/07/2015. Hon Samuel A Thumma - Author
9. 14-Sep-2015 FILED: Reporters Transcript (03/23/15, 06/09/15) [Steven King]
10. 21-Sep-2015 FILED: Notice of Completion of Record
11. 2-Nov-2015 FILED: Opening Brief Anders Brief; Certificate of Compliance; Certificate of Service (Appellant)
12. 2-Nov-2015 FILED: Motion for leave to Permit Appellant to File Supplemental Opening Brief in Propria Persona; Certificate of Service (Appellant)
13. 3-Nov-2015 ORDERED: Allowing appellant to file supplemental brief in propria persona; FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG; FURTHER ORDERED: Appellant may raise additional points on/before 12/14/2015; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
14. 9-Nov-2015 FILED: Letter dated 11/05/15, to Appellant from Counsel re: Forwarding record on appeal
15. 3-Dec-2015 FILED: Motion for Extension of Time to File Pro Per Opening Brief (Appellant, Pro Per)
16. 4-Dec-2015 ORDERED: Motion for Extension of Time to File Pro Per Opening Brief (Appellant, Pro Per) = GRANTED. Due date EXTENDED from Monday, 12-14-2015 to Monday, 01-04-2016. Anthony Mackey ProTem Judge - Author
17. 21-Dec-2015 FILED: Motion to Reconsider, Motion for 60 Day Extension of Time, Discovery Requested, Honorable Court Justices, Presiding (Appellant Pro Pro)
18. 28-Dec-2015 ORDERED: Motion to Reconsider, Discovery Requested, Honorable Court Justices, Presiding (Appellant Pro Pro) = DENIED. Anthony Mackey ProTem Judge - Author
19. 11-Jan-2016 FILED: Emergency Motion for 30 Day Extension of Time Extraordinary Circumstances (Appellant, Pro Per)
20. 11-Jan-2016 FILED: Notice of Change of Address (Appellant Pro Per)
21. 13-Jan-2016 ORDERED: Emergency Motion for 30 Day Extension of Time Extraordinary Circumstances (Appellant, Pro Per)= GRANTED. Due date EXTENDED from Monday, 01-04-2016 to Friday, 02-12-2016. Anthony Mackey ProTem Judge - Author
22. 1-Feb-2016 FILED: Request for Appointment of New Attorney on Appeal (Appellant Pro Per)
23. 8-Feb-2016 ORDERED: Request for Appointment of New Attorney on Appeal (Appellant Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
24. 11-Feb-2016 FILED: Supplemental Brief (Appellant, Pro Per)
25. 17-Feb-2016 FILED: Assigning Anders appeal to Dept B for consideration and disposition. [Ruth Willingham, Clerk]
26. 17-Feb-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
27. 18-Feb-2016 FILED: Supplemented Superior Court Record with Revised Index of Record
28. 29-Feb-2016 FILED: Returned Receipt Noted - ENTIRE RECORD eFILED - There is no physical record to be transmitted from lower court.
29. 13-Jun-2016 FILED: Motion to Ask this Court to Enter into Record New Issues of Material Fact Per Grand Jury Record (Appellant)
30. 8-Jul-2016 ORDERED: Counsel shall file briefs addressing the following issues: Whether substantial evidence presented at trial supports the conviction of Count 3. Counsel for appellant shall file a supplemental opening brief due 08/08/2016. Counsel for appellee shall file a supplemental answering brief within thirty days thereafter. A reply brief may be filed within fifteen days after the filing of the answering brief Hon Kent E Cattani Judge - Author
31. 8-Aug-2016 FILED: Appellant's Supplemental Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
32. 12-Sep-2016 FILED: Appellee's Supplemental Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
33. 7-Oct-2016 FILED: Leave to Supplement New Issue (Appellant)

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34. 14-Oct-2016 ORDERED: Leave to Supplement New Issue (Appellant) = DENIED. Hon Kent E Cattani Judge - Author
35. 14-Oct-2016 ORDERED: Motion to Ask this Court to Enter into Record New Issues of Material Fact Per Grand Jury Record (Appellant) = DENIED. Hon Kent E Cattani Judge - Author
36. 18-Oct-2016 MEMORANDUM DECISION (Affirmed in Part, One Conviction and Sentence Vacated) Hon Kent E Cattani Judge - Author; Hon Samuel A Thumma - Concur; Hon Randall M Howe - Concur (Motion for reconsideration extended thirty days from date of this decision.)
37. 18-Oct-2016 FILED: Memorandum Decision Distribution List
38. 18-Nov-2016 FILED: Motion for Reconsideration (Appellant)
39. 30-Nov-2016 ORDERED: Motion for Reconsideration (Appellant) = DENIED. Hon Kent E Cattani - Author
40. 16-Dec-2016 FILED: ASC Order filed 12/16/2016 re: extending time for filing Petition for Review to 01/16/2017
41. 5-Jan-2017 FILED: Notice of Appearance; Certificate of Service (Appellant)
42. 13-Jan-2017 FILED: Email Notice from ASC re: Petition for Review filed 1/13/17; request for partial record
43. 19-Jan-2017 FILED: Letter forwarding partial record to Arizona Supreme Court