

**Court of Appeals, Division One**

**Criminal - Anders Appeal**

**1 CA-CR 15-0472**

**STATE v. ESPINOZA**

**Appellate Case Information**

Case Filed: 20-Jul-2015  
Case Closed: 13-Jan-2017

**Decision**

**Dept/Composition**

**Department E**

Hon. Diane M Johnsen  
Hon. Patricia A Orozco  
Hon. Kenton D Jones

**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. JORGE ESPINOZA, Appellant**

(Litigant Group) JORGE ESPINOZA

- Jorge Espinoza

**Attorneys for: Appellant**

Edward F McGee, Esq. (AZ Bar No. 4235)

**CASE STATUS**

Jan 13, 2017....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YUM S1400CR201300594	See File	See File	David M Haws, Sentencing	JURY	

**DESCENDENT CASE(S)**

ASC CR-16-0266-PR

**CASE DECISION**

**14-Jun-2016 MEMORANDUM DECISION**

Kenton Jones.....Author  
Diane Johnsen.....Concur  
Patricia Orozco.....Concur

Filed: 14-Jun-2016 Mandate: 13-Jan-2017

Decision Disposition

**Affirmed**

**67 PROCEEDING ENTRIES**

- 16-Jul-2015 FILED: Courtesy Copy of Notice of Filing of Appeal From Superior Court
- 20-Jul-2015 FILED: Notice of Appeal from Yuma County Superior Court filed 07/09/15. Notification to Court Reporters dated 07/14/15.
- 20-Jul-2015 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None
- 21-Jul-2015 FILED: Additional Record on Appeal  
Exhibits:  
Hearing Date 01/05/15 State's Exhibits - LIST # 14 21 26 27a 32 33 34 35 36 54 55 57 62 64 65 66 69 70 71 73 75 92 95 97 103 105 106 107 108 109 113 115 116 118 122 123 124 135 137 159 161 163 183 197 208 209 210 211 212 213 214 216 218 219 220 221 222 223 224 225 226 227 228 229 230 232 233 234 235 236 237 238 239 241 242 243 244 245 246 247 248 249 250 251 252 253 In Manila Envelope.  
Hearing Date 01/05/15 Defendant Exhibits- LIST # 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 In Manila Envelope.  
Hearing Date 06/10/15 Plaintiff's Exhibits - LIST # 1 2  
Sealed item:  
Hearing Date 01/05/15 Defendant's Exhibits - # 1 2  
Confidential Criminal History Addendum In Sealed Manila Envelope.
- 27-Jul-2015 FILED: Letter, 7/27/15, from Court to Superior Court, returning exhibits 14 and 26 received 7/23/15
- 4-Aug-2015 FILED: Notice of Appearance and Confirmation of Designation of Record On Appeal; Certificate of Service (Appellant)

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**67 PROCEEDING ENTRIES**

7. 12-Aug-2015 FILED: 02/03/2015 - Jury Trial (Day Thirteen) (Laurie Cooper)
8. 12-Aug-2015 FILED: 02/04/2015 - Jury Trial (Day Fourteen) (Laurie Cooper)
9. 12-Aug-2015 FILED: 02/05/2015 - Jury Trial (Day Fifteen) (Laurie Cooper)
10. 12-Aug-2015 FILED: 02/06/2015 - Jury Trial (Day Sixteen) (Laurie Cooper)
11. 12-Aug-2015 FILED: Notice of Service (Laurie Cooper)
12. 13-Aug-2015 FILED: Reporter's Transcripts - 01/13/15 - (Julie K. Knowlton)
13. 13-Aug-2015 FILED: Notice of Service of Transcript
14. 17-Aug-2015 FILED: Reporter's Transcripts - 1/06/15 - (Elizabeth Hengstebeck)
15. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
16. 17-Aug-2015 FILED: Reporter's Transcripts - 01/08/15 - (Elizabeth Hengstebeck)
17. 17-Aug-2015 FILED: Letter re: Service of Transcripts (Elizabeth Hengstebeck)
18. 17-Aug-2015 FILED: Reporter's Transcripts - 01/09/15 - (Elizabeth Hengstebeck)
19. 17-Aug-2015 FILED: Letter re: Service of Transcripts (Elizabeth Hengstebeck)
20. 17-Aug-2015 FILED: Reporter's Transcripts - 01/28/15 - (Elizabeth Hengstebeck)
21. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
22. 17-Aug-2015 FILED: Reporter's Transcripts - 01/15/15 - (Elizabeth Hengstebeck)
23. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
24. 17-Aug-2015 FILED: Reporter's Transcripts - 01/20/15 - (Elizabeth Hengstebeck)
25. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
26. 17-Aug-2015 FILED: Reporter's Transcripts - 01/16/15 - (Elizabeth Hengstebeck)
27. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
28. 17-Aug-2015 FILED: Reporter's Transcripts - 01/22/15 - (Elizabeth Hengstebeck)
29. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
30. 17-Aug-2015 FILED: Reporter's Transcripts - 01/29/15 - (Elizabeth Hengstebeck)
31. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
32. 17-Aug-2015 FILED: Reporter's Transcripts - 01/23/15 - (Elizabeth Hengstebeck)
33. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
34. 17-Aug-2015 FILED: Reporter's Transcripts - 01/27/15 - (Elizabeth Hengstebeck)
35. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
36. 17-Aug-2015 FILED: Reporter's Transcripts - 01/30/15 - (Elizabeth Hengstebeck)
37. 17-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
38. 17-Aug-2015 FILED: Reporter's Transcripts: 07/08/15 Sentencing - (Elizabeth Hengstebeck)
39. 17-Aug-2015 FILED: Notice of Filing Transcripts
40. 18-Aug-2015 FILED: Reporter's Transcripts - 06/10/15 - (Elizabeth Hengstebeck)
41. 18-Aug-2015 FILED: Affidavit: Notice of Service of Transcript

**Court of Appeals, Division One****Criminal - Anders Appeal****1 CA-CR 15-0472****STATE v. ESPINOZA****67 PROCEEDING ENTRIES**

42. 18-Aug-2015 FILED: Reporter's Transcripts - 01/14/15 - (Elizabeth Hengstebeck)
43. 18-Aug-2015 FILED: Affidavit: Notice of Service of Transcript
44. 18-Aug-2015 FILED: Notice of Completion of Record
45. 23-Sep-2015 FILED: Notice of Incomplete Record; Request for Production of Additional Transcript; Motion to Supplement; Motion to Re-Set Briefing Schedule; Certificate of Service (Appellant)
46. 30-Sep-2015 FILED: Appellant's (sic) Second Motion to Supplement the Record; Certificate of Service (Appellant)
47. 30-Sep-2015 FILED: Reporters Transcript 03/25/2015 (Adam Gage)
48. 30-Sep-2015 FILED: Notice of Service (Adam Gage)
49. 30-Sep-2015 ORDERED: Notice of Incomplete Record; Request for Production of Additional Transcript; Motion to Supplement (Appellant) = GRANTED/Court Reporter Adam Gage transcript dated 03/23/15 due 10/26/15. FURTHER ORDERED: Motion to Re-Set Briefing Schedule [SIC](Appellant) = GRANTED. Due date EXTENDED from Friday, 10-02-2015 to Monday, 11-30-2015. Anthony Mackey ProTem Judge - Author
50. 30-Sep-2015 ORDERED: Appellant's (sic) Second Motion to Supplement the Record (Appellant) = GRANTED/Supplementing the record with minute entry dated 07/08/2015 due by 10/16/2015. Anthony Mackey ProTem Judge - Author
51. 5-Oct-2015 ORDERED: Supplementing the Record by including the mitigation hearing minute entry dated 6/10/2015, and filed on 7/20/2015. FURTHER ORDERED: Clerk of Yuma County Superior Court forward certified copy of the imposition of sentence minute entry dated 6/10/2015 due by 10/19/2015. Anthony Mackey ProTem Judge - Author
52. 8-Oct-2015 FILED: Minute Entry dated 7/08/2015 re: - Imposition of Sentence
53. 19-Oct-2015 FILED: Courtesy Copy of Minute Entry dated 6/10/2015 from Yuma County Superior Court
54. 25-Nov-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
55. 25-Nov-2015 FILED: Motion for Leave for Appellant to File Supplemental Brief in Propria Persona; Certificate of Service (Appellant)
56. 11-Jan-2016 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 02/22/16; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
57. 11-Jan-2016 FILED: Notice of Filing Anders Transmittal Letter; Certificate of Service (Appellant)
58. 18-Feb-2016 FILED: Notice of Filing (Appellant's Pro Se Supplemental Brief Attached); Certificate of Service (Appellant)
59. 19-Feb-2016 FILED: Assigning Anders appeal to Dept E for consideration and disposition. [Ruth Willingham, Clerk]
60. 19-Feb-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
61. 17-Mar-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes copies of transcripts previously filed with CoA and originals of transcripts dated 01/27/15, 06/10/15, 01/14/15)
62. 14-Jun-2016 MEMORANDUM DECISION (Affirmed) Hon Kenton D Jones Judge - Author; Hon Diane M Johnsen - Concur; Hon Patricia A Orozco - Concur (Motion for reconsideration extended thirty days from date of this decision.)
63. 14-Jun-2016 FILED: Memorandum Decision Distribution List
64. 14-Jul-2016 FILED: Email Notice from ASC re: Petition for Review filed 7/13/16; request for partial record
65. 21-Jul-2016 FILED: Letter forwarding partial record to Arizona Supreme Court
66. 13-Dec-2016 FILED: Letter from ASC, 12/13/2016, re: Petition for Review DENIED on 12/13/2016
67. 13-Jan-2017 FILED: Mandate, Record returned to superior court.