

Court of Appeals, Division One

Criminal

1 CA-CR 15-0582

STATE v. MCCABE

Appellate Case Information

Case Filed: 4-Sep-2015

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Linley Wilson, Esq. (AZ Bar No. 27040)

Side 2. BRANDON KARL MCCABE, Appellant

(Litigant Group) BRANDON KARL MCCABE

- Brandon Karl McCabe

Attorneys for: Appellant

Matthew O Brown, Esq. (AZ Bar No. 25213)

CASE STATUS

Dec 12, 2016...At Issue

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2013-101575-001, See File, See File, Karen A Mullins, Sentencing, JURY

47 PROCEEDING ENTRIES

- 1. 4-Sep-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/28/15. Notification to Court Reporters sent 08/28/15.
2. 11-Sep-2015 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 10/26/2015. Anthony Mackey ProTem Judge - Author
3. 1-Oct-2015 FILED: Reporter's Transcript - 7-16-14 - FTMC (Helene Paustian)
4. 6-Oct-2015 FILED: Courtesy Copy of Designation of Record for Appeal Filed in Superior Court (Appellant)
5. 7-Oct-2015 ORDERED: Ken Crenshaw to file transcript dated 1/30/2013 due by 11/06/2015. Hon Samuel A Thumma - Author
6. 12-Oct-2015 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: None Sent
7. 13-Oct-2015 FILED: Additional Record on Appeal Exhibits: Hearing Date 7/18/2014 List # 1 in a manila envelope Hearing Date 8/04/2014 List # 1 2 3 4 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 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 203 232 243 245 247 248 249 250 253 154 in a manila envelope Hearing Date 11/07/2014 List # 1 2 5 in a manila envelope
8. 23-Oct-2015 FILED: Reporter's Transcript - 08/04/2014 - (Christine Coaly)
9. 23-Oct-2015 FILED: Reporter's Transcript - 07/18/2014 - (Christine Coaly)
10. 24-Oct-2015 FILED: Reporter's Transcript - 08/05/2014 - Trial Day 2 (Christine Coaly)
11. 25-Oct-2015 FILED: Reporter's Transcript - 08/06/2014 - Trial Day 3 (Christine Coaly)

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12. 26-Oct-2015 FILED: Reporter's Transcript - 11-7-2014 (Wanda Bauer)
13. 30-Oct-2015 FILED: Motion for Order to Unseal Document; Certificate of Service (Appellant)
14. 2-Nov-2015 FILED: Reporter's Transcript - 8/11/2014 - Trial (Wanda Bauer)
15. 2-Nov-2015 FILED: Reporter's Transcripts - 08/12/2014 - trial day 5 (Christine Coaly)
16. 3-Nov-2015 FILED: Reporter's Transcript - 11/01/2013 - (Christine Coaly)
17. 3-Nov-2015 FILED: Reporter's Transcript - 08/13/2014 - (Christine Coaly)
18. 3-Nov-2015 FILED: Reporter's Transcript - 11/13/2014 - (Christine Coaly)
19. 6-Nov-2015 FILED: Reporters Transcript - 01/30/2013 - (Janice Penfield)
20. 10-Nov-2015 ORDERED: Motion for Order to Unseal Document (Appellant) = GRANTED/Unsealing the Psychological Evaluation report, IOR 154, to permit inspection and/or copying of the report for use by the appellant or the appellee for this appeal only.. Anthony Mackey ProTem Judge - Author
21. 12-Nov-2015 FILED: Notice of Completion of Record
22. 4-Dec-2015 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
23. 8-Dec-2015 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED.FURTHER ORDERED: Appointing Matthew Brown as counsel for appellant. FURTHER ORDERED: Maricopa County Public Defender forward all files to newly appointed counsel. FURTHER ORDERED: Motion to Extend Opening Brief Due Date (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-28-2015 to Friday, 01-22-2016. Anthony Mackey ProTem Judge - Author
24. 22-Jan-2016 ORDERED: Opening Brief due date EXTENDED from Friday, 01-22-2016 to Monday, 02-22-2016. Fred Cole ProTem Judge - Author
25. 22-Feb-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
26. 22-Feb-2016 FILED: Motion for Appellant to File Supplemental Brief; Certificate of Service (Appellant)
27. 23-Feb-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 04/04/16; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
28. 2-Mar-2016 FILED: Motion for Appellant to File Time Extension (Appellant, Pro Per)
29. 3-Mar-2016 FILED: Certificate of Mailing re: Motion for Appellant to File Time Extension
30. 4-Mar-2016 FILED: Letter, dated 02/26/16, to Appellant from Counsel re: Forwarding record on appeal
31. 4-Mar-2016 ORDERED: Motion for Appellant to File Time Extension (Appellant, Pro Per)= GRANTED/Supplemental Brief due date EXTENDED to and including 04/04/16. Anthony Mackey ProTem Judge - Author
32. 22-Mar-2016 FILED: Appellant's Supplemental Brief (Appellant, Pro Per)
33. 24-Mar-2016 FILED: Assigning Anders appeal to Dept E for consideration and disposition. [Ruth Willingham, Clerk]
34. 24-Mar-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
35. 30-Mar-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes copy of transcript filed directly with COA1 previously)
36. 30-Jun-2016 FILED: Memorandum: Judge Thumma for Judge Orozco (Chief Judge Brown)

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37. 5-Jul-2016 ORDERED: Vacating the previous assignment of this case to Department E for consideration and disposition. FURTHER ORDERED: Striking the opening brief counsel previously filed. FURTHER ORDERED: Directing Appellant's counsel to file a new opening brief due 08/12/2016. FURTHER ORDERED: With the vacating of the Anders designation in this appeal, the court will not accept any additional pro per filings on behalf of Appellant. Hon Diane M Johnsen - Author
38. 12-Aug-2016 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
39. 30-Aug-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
40. 28-Sep-2016 ORDERED: Answering Brief due date EXTENDED from Monday, 09-26-2016 to Wednesday, 10-26-2016. Fred Cole ProTem Judge - Author
41. 26-Oct-2016 FILED: Motion for Extension of Time to File Answering Brief (Second Request); Certificate of Service (Appellee)
42. 31-Oct-2016 ORDERED: Motion for Extension of Time to File Answering Brief (Second Request) (Appellee) = GRANTED/Due date EXTENDED from Wednesday, 10-26-2016 to Friday, 11-25-2016. Anthony Mackey ProTem Judge - Author
43. 22-Nov-2016 FILED: Motion for 2-Week Extension of Time to File Answering Brief; Certificate of Service (Appellee)
44. 23-Nov-2016 ORDERED: Motion for 2-Week Extension of Time to File Answering Brief (Appellee) = GRANTED/Due date EXTENDED from Friday, 11-25-2016 to Monday, 12-12-2016 or OSC set on 12/21/2016 (attorney Linley Wilson). Anthony Mackey ProTem Judge - Author
45. 12-Dec-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
46. 5-Jan-2017 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
47. 13-Jan-2017 FILED: Supplemented Superior Court e-Record with Revised Index of Record