

Court of Appeals, Division One

Criminal

1 CA-CR 15-0696

STATE v. CHAVEZ

Appellate Case Information

Case Filed: 23-Oct-2015
Case Closed:

Dept/Composition

Department A
Hon. Kenton D Jones
Hon. Patricia K Norris
Hon. Paul J McMurdie

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Elizabeth B N Garcia, Esq. (AZ Bar No. 32209)

Side 2. LEONARDO CHAVEZ, Appellant

(Litigant Group) LEONARDO CHAVEZ

- Leonardo Chavez

Attorneys for: Appellant

Rena P Glitsos, Esq. (AZ Bar No. 13009)

CASE STATUS

Jan 24, 2017....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2014-121853-002, See File, See File, Jay R Adleman, Judge on PC, JURY

2 OPEN DUE DATES

Motion for Reconsideration due Due By: Monday, February 13, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Patricia K Norris - Author; Hon Kenton D Jones - Concur; Hon Paul J McMurdie - Concur

Petition for Review to ASC due Due By: Tuesday, February 28, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Patricia K Norris - Author; Hon Kenton D Jones - Concur; Hon Paul J McMurdie - Concur

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR

17-Jan-2017 Department A; COURTROOM 1

CASE DECISION

24-Jan-2017 MEMORANDUM DECISION

Patricia Norris.....Author
Kenton Jones.....Concur
Paul McMurdie.....Concur

Filed: 24-Jan-2017 Mandate:

Decision Disposition

Affirmed

46 PROCEEDING ENTRIES

- 1. 23-Oct-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 10/20/15. Notification to Court Reporters dated 10/22/15.
2. 27-Oct-2015 ORDERED: Financial arrangements or copy of application for indigency due on/before 11/27/15. Anthony Mackey ProTem Judge - Author
3. 19-Nov-2015 FILED: Letter, 11/19/15, forwarding "Defendant's Financial Statement and Request for Appointment of Counsel" to Superior Court for review and processing
4. 2-Dec-2015 FILED: Reporter's Transcript - 10/02/2015 - (Dalia Ambriz)

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5. 3-Dec-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None Sent
6. 3-Dec-2015 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 08/05/2015 List # 19 20 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 61
62 63 64 65 69 in a manila envelope
Sealed Items:
Confidential Criminal History Addendum in Sealed Manila Envelope
7. 6-Dec-2015 FILED: Reporter's Transcript - 08/17/2015 - Jury Trial-AM- (Jeanne Kappedal)
8. 11-Dec-2015 ORDERED: Staying this appeal to/including 12/18/15 and remanding this matter to the Superior Court of Maricopa County for the purpose of permitting the trial court to rule on the appellant's request to proceed as an indigent and request for appointed counsel. FURTHER ORDERED: Superior Court shall transmit certified copy of findings/reconstructed materials within five days after entry, no later than 12/18/15. FURTHER ORDERED: Appeal shall be automatically reinstated 12/21/15 without further order. Anthony Mackey ProTem Judge - Author
9. 22-Dec-2015 FILED: Courtesy Copy of Minute Entry re: Appointing Public Defender as Counsel for Appellant on Appeal
10. 22-Dec-2015 ORDERED: Helene Paustian and Wanda Bauer transcripts due 02/05/16. Anthony Mackey ProTem Judge - Author
11. 29-Dec-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
12. 4-Jan-2016 FILED: Reporters Transcript - 08/10/2015 - (Wanda Bauer)
13. 5-Jan-2016 FILED: Reporters Transcript - 08/11/2015 - (Wanda Bauer)
14. 5-Jan-2016 FILED: Reporters Transcript - 08/12/2015 - (Wanda Bauer)
15. 5-Jan-2016 FILED: Reporters Transcript - 08/13/2015 - (Wanda Bauer)
16. 13-Jan-2016 FILED: Courtesy Copy of Designation of Record for Appeal Filed in Superior Court (Appellant)
17. 14-Jan-2016 ORDERED: Court Reporter Helene Paustian transcript dated 08/05/15 due 02/16/16. Hon Samuel A Thumma - Author
18. 14-Jan-2016 ORDERED: Court Reporter Kristen Brown transcript dated 02/25/15 due 02/16/16. Hon Samuel A Thumma - Author
19. 14-Jan-2016 ORDERED: Court Reporter Cynthia Lineburg transcripts dated 01/27/15, 05/13/15 due 02/16/16. Hon Samuel A Thumma - Author
20. 16-Jan-2016 FILED: Reporter's Transcript - 01/27/15 - Status Conf. (Cindy Lineburg)
21. 16-Jan-2016 FILED: Reporter's Transcript - 05/13/15 (Cindy Lineburg)
22. 20-Jan-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
23. 21-Jan-2016 FILED: Courtesy Copy - Notice of Post-Conviction Relief, filed in Maricopa County Superior Court 01/19/16
24. 1-Feb-2016 FILED: Reporters Transcript - 02/25/2015 - (Kristen Brown)
25. 16-Feb-2016 FILED: Reporters Transcript - 08/05/2015 - (Helene Paustian)
26. 25-Feb-2016 FILED: Notice of Completion of Record
27. 17-May-2016 FILED: Notice of Appearance; Certificate of Service (Appellant)
28. 10-Jun-2016 FILED: Motion to Provide Sealed or Confidential Jury List; Certificate of Service (Appellant)

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29. 10-Jun-2016 FILED: Motion to Supplement the Record and Request for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
30. 20-Jun-2016 ORDERED: Motion to Supplement the Record (Appellant) = GRANTED. FUTHER ORDERED: Clerk of Maricopa County Superior Court supplement the record by forwarding to this court copy of documents due 07/11/2016. FURTHER ORDERED: Request for Extension of Time to File the Opening Brief = GRANTED/Due date EXTENDED from Monday, 06-27-2016 to Wednesday, 08-10-2016. Anthony Mackey ProTem Judge - Author
31. 20-Jun-2016 ORDERED: Motion to Provide Sealed or Confidential Jury List (Appellant) = DENIED. Anthony Mackey ProTem Judge - Author
32. 21-Jun-2016 AMENDED ORDER: Motion to Supplement the Record (Appellant) = GRANTED. FUTHER ORDERED: Clerk of Maricopa County Superior Court supplement the record by forwarding to this court copy of documents due 07/11/2016. FURTHER ORDERED: Request for Extension of Time to File the Opening Brief = GRANTED/Due date EXTENDED from Monday, 06-27-2016 to Wednesday, 08-10-2016. Anthony Mackey ProTem Judge - Author (added County Atty to distribution)
33. 11-Jul-2016 FILED: Additional Record on Appeal
Exhibits:
Sealed Items:
Transcript of Grand Jury proceedings held on 05/15/14 by Nicole Sesta in a sealed Manila Envelope
34. 14-Jul-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcript filed directly with COA1 previously)
35. 28-Jul-2016 FILED: Motion to Compel and Request to Extend Time to File the Opening Brief Until the Record is Supplemented; Certificate of Service (Appellant)
36. 2-Aug-2016 ORDERED: Motion to Compel (Appellant) = DENIED/As unnecessary. FURTHR ORDERED: Unsealing the grand jury transcript for this appeal only. FURTHER ORDERED: Extend Time to File the Opening Brief Until the Record is Supplemented = GRANTED/Due date EXTENDED from Wednesday, 08-10-2016 to Friday, 08-19-2016. Anthony Mackey ProTem Judge - Author
37. 18-Aug-2016 FILED: Courtesy Copy - Petitioner's Pro Per Rule - 32.5 Petition for Post Conviction Relief/Request Rule - 32.8 Evidentiary Hearing filed in Maricopa County Superior Court on 08/15/2016
38. 19-Aug-2016 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance with Rule 31.13(b), ARCP; Appellant's Certificate of Service (Appellant)
39. 8-Sep-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
40. 29-Sep-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
41. 29-Sep-2016 FILED: Appendices in Support of the State's Answering Brief (Appellee)
42. 21-Oct-2016 FILED: Notice of Election Not to File a Reply Brief; Certificate of Service (Appellant)
43. 1-Nov-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
44. 28-Nov-2016 CLNDR: CONFERENCE, Department A, 1-17-17, COURTROOM 1.
45. 24-Jan-2017 MEMORANDUM DECISION (Affirmed) Hon Patricia K Norris - Author; Hon Kenton D Jones - Concur; Hon Paul J McMurdie - Concur
46. 24-Jan-2017 FILED: Memorandum Decision Distribution List