Court of Appeals, Division One

Criminal

1 CA-CR 15-0743 STATE v. BEGAY

Appellate Case Information

Case Filed: 5-Nov-2015

Case Closed:

Dept/Composition

Department E

Hon. Samuel A Thumma
Hon. Patricia A Orozco
Hon. Michael J Brown

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**

Attorneys for: Appellee

Michael Valenzuela, Esq. (AZ Bar No. 27375)

Side 2. NATHANIEL BRYAN BEGAY, Appellant

(Litigant Group) NATHANIEL BRYAN BEGAY

- **Nathaniel Bryan Begay**

Attorneys for: Appellant

Paul J Prato, Esq. (AZ Bar No. 2609)

CASE STATUS

Jan 26, 2017....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CR2014-100673-001	Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs, Class 4; Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs, Class 4	10 Years; 10 Years	Annielaurie Van Wie, Sentencing	JURY	

2 OPEN DUE DATES

Motion for Reconsideration due **Due By:** Wednesday, February 15, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Patricia A Orozco - Author; Hon Samuel A Thumma - Concur; Hon Michael J Brown - Concur

Petition for Review to ASC due **Due By:** Thursday, March 2, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Patricia A Orozco - Author; Hon Samuel A Thumma - Concur; Hon Michael J Brown - Concur

CASE DECISION

26-Jan-2017 MEMORANDUM DECISION

Patricia Orozco.....Author
Samuel Thumma.....Concur
Michael Brown.....Concur

Filed: **26-Jan-2017** Mandate:

Decision Disposition
Affirmed

46 PROCEEDING ENTRIES

1.	5-Nov-2015	FILED: Notice of Appeal from Maricopa County Superior Court filed 10/26/15.
2.	12-Nov-2015	FILED: Duplicate Notice of appeal.
3.	16-Nov-2015	ORDERED: Financial arrangements or copy of application for indigency due on/before 12/16/15. Anthony Mackey ProTem Judge - Author
4.	20-Nov-2015	FILED: Courtesy Copy of Affidavit of Financial Information Filed in Maricopa County Superior Court 11/20/15.
5.	7-Dec-2015	FILED: Request for Extension of Time (to File Transcripts) (Mary Hankins)

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46 PROCEEDING ENTRIES

6.	7-Dec-2015	FILED: Motion for Extension of Time to File Transcripts (Dalia Ambriz)
7.	7-Dec-2015	ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 01/22/16. Anthony Mackey ProTem Judge - Author
8.	9-Dec-2015	FILED: Additional Record on Appeal Exhibits: Hearing Date 09/17/2015 List # 1 7 10 11 12 in a manila envelope Hearing Date 10/26/2015 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 in a manila envelope
9.	9-Dec-2015	FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: None Sent
10.	10-Dec-2015	FILED: Reporters Transcript - 09/22/2015 - (Jane Westlund)
11.	14-Dec-2015	FILED: Returned US Mail, (Order Regarding Counsel and Transcript) dated (12/07/15), addressed to (Nathaniel Begay), (Undeliverable)
12.	11-Jan-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
13.	14-Jan-2016	FILED: Motion for Extension of time to File Transripts (Dalia Ambriz)
14.	20-Jan-2016	FILED: Reporters Transcript - 10/26/2015 - (Patricia Kotarba)
15.	21-Jan-2016	ORDERED: Motion for Extension of time to File Transripts (Dalia Ambriz) = GRANTED. Due Dates EXTENDED to 02/22/2016 for Transcripts dated 09/21/2015, 09/23/2015 or OSC 03/02/16. Hon Samuel A Thumma - Author
16.	22-Jan-2016	FILED: Reporters Transcript - 09/17/2015 - (Mary Hankins)
17.	4-Feb-2016	ORDERED: Ken Crenshaw transcripts dated 09/17/15, 09/21/15, 09/22/15, 09/23/15, 10/26/15 due 03/07/16 or OSC 03/16/16. Hon Samuel A Thumma - Author
18.	4-Feb-2016	AMENDED ORDER: Ken Crenshaw transcripts dated 08/01/14, 10/21/14, 05/19/15 due 03/07/16 or OSC 03/16/16. Hon Samuel A Thumma - Author
19.	16-Feb-2016	FILED: Reporters Transcript - 08/01/2014 - (Karina Savelio)
20.	16-Feb-2016	FILED: Reporters Transcript - 10/21/2014 - (Karina Savelio)
21.	16-Feb-2016	FILED: Reporters Transcript - 05/19/2015 - (Karina Savelio)
22.	22-Feb-2016	FILED: Reporters Transcript - 09/23/2015 - (Dalia Ambriz)
23.	22-Feb-2016	FILED: Reporters Transcript - 09/21/2015 - (Dalia Ambriz)
24.	23-Feb-2016	FILED: Notice of Completion of Record
25.	4-Mar-2016	FILED: Motion to Provide Sealed or Confidential Jury List; Certificate of Service (Appellant)
26.	7-Mar-2016	ORDERED: Motion to Provide Sealed or Confidential Jury List (Appellant) = GRANTED/Unsealing the random jury list, IOR 78, to permit inspection and/or copying of the list for use by the appellant or the appellee for this appeal only. Anthony Mackey ProTem Judge - Author
27.	24-Mar-2016	FILED: Motion to Supplement the Record and Reset Briefing Schedule; Certificate of Service (Appellant)
28.	28-Mar-2016	ORDERED: Motion to Supplement the Record (Appellant) = GRANTED by including verdict form for Count 2. FURTHER ORDERED: superior court to forward to this court certified copy of verdict form for Count 2 by 04-18-2016. FURTHER ORDERED: opening brief due date EXTENDED from Friday, 04-08-2016 to Monday, 05-09-2016. Fred Cole ProTem Judge - Author

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29.	1-Apr-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Minute Entry filed 3/30/16 Re: verdict form for Count 2)
30.	10-May-2016	ORDERED: Opening Brief due date EXTENDED from Monday, 05-09-2016 to Wednesday, 06-08-2016. Fred Cole ProTem Judge - Author
31.	8-Jun-2016	FILED: Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
32.	9-Jun-2016	ORDERED: Motion to Extend Opening Brief Due Date (Appellant) = GRANTED/Due date EXTENDED from Wednesday, 06-08-2016 to Friday, 07-08-2016. Anthony Mackey ProTem Judge - Author
33.	8-Jul-2016	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
34.	15-Jul-2016	FILED: Notice of Appearance; Certificate of Service (Appellee)
35.	23-Aug-2016	ORDERED: Answering Brief due date EXTENDED from Monday, 08-22-2016 to Wednesday, 09-21-2016. Fred Cole ProTem Judge - Author
36.	20-Sep-2016	FILED: Motion for Extension of Time to File Answering Brief (Second Request/Uncontested); Certificate of Service (Appellee)
37.	21-Sep-2016	ORDERED: Motion for Extension of Time to File Answering Brief (Second Request/Uncontested) (Appellee) = GRANTED/Due date EXTENDED from Wednesday, 09-21-2016 to Friday, 10-21-2016. Anthony Mackey ProTem Judge - Author
38.	14-Oct-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
39.	26-Oct-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
40.	1-Nov-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
41.	8-Nov-2016	FILED: Notice of Appearance/Case Reassignment; Certificate of Service (Appellant)
42.	9-Nov-2016	ORDERED: Reply brief due date EXTENDED from Tuesday, 11-08-2016 to Monday, 11-28-2016. Fred Cole ProTem Judge - Author
43.	17-Nov-2016	FILED: Appellant's Reply Brief; Certificate of Compliance with Rule 31.13(b), ARCP; Certificate of Service (Appellant)
44.	28-Nov-2016	CLNDR: CONFERENCE, Department E, 1-11-17, COURTROOM 2.
45.	26-Jan-2017	MEMORANDUM DECISION (Affirmed) Hon Patricia A Orozco - Author; Hon Samuel A Thumma - Concur; Hon Michael J Brown - Concur
46.	26-Jan-2017	FILED: Memorandum Decision Distribution List

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