Court of Appeals, Division One

Criminal Petition Review Post Conviction Relief

1 CA-CR 15-0841 PRPC — STATE v. ROTONDO

Appellate Case Information

Case Filed: 20-Nov-2015
Case Closed: 25-Mar-2016
Reinstated x 1: 24-May-2016
Re-Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**

Attorneys for: Respondent
Galen Wilkes, Esq. (AZ Bar No. 2735)

Side 2. SAMUEL RUDOLPH ROTONDO, Petitioner

(Litigant Group) SAMUEL RUDOLPH ROTONDO

- **Samuel Rudolph Rotondo**

Attorney for; Petitioner
Michael R Shumway, Esq. (AZ Bar No. 30960)

CASE STATUS

Jan 6, 2017.....At Issue | May 24, 2016....**Reinstated Case**

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
NAV	S0900CR20061145			Robert J Higgins, Judge on PC		

OPEN DUE DATE

Reply to Petition (PCR) **Due By:** Wednesday, February 22, 2017

Re: FILED: Response to Petitioner's Petition for Review; Certificate of Service; Appendix; Certificate of compliance (Respondent)

CASE DECISION

08-Feb-2016 ORDER

Vacated
ORDERED: Dismissing this matter.

Anthony Mackey.....Author

Filed: **08-Feb-2016** Mandate:

Decision Disposition
Dismissed

32 PROCEEDING ENTRIES

1.	20-Nov-2015	FILED: Notice of Appeal (Non Compliant PRPC) (Petitioner Pro Per)
2.	12-Dec-2015	FILED:e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: State's Exhibits - List # 1 2 10a 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 53 55 56 57 58 59 60 61 62 63 64 65 66 67 70 71 72 Defendant's Exhibits - # A B C D E F G H H1 I J
3.	22-Dec-2015	FILED: Letter, 12/22/15, to (Samuel Rotondo, Appellant), from Court Re: returning Petition for Review for non-compliance; allowing 30 days from date of this letter to file compliant petition for review
4.	8-Feb-2016	ORDERED: Dismissing this matter. Anthony Mackey ProTem Judge - Author
5.	24-Feb-2016	FILED: Returned US Mail, Order dated 02/08/16, addressed to Samuel Rotondo, Undeliverable
6.	25-Mar-2016	FILED: Letter, 3/25/2016, Certified Copy of Order dismissing appeal. No records to be returned to clerk, Navajo County Superior Court
7.	6-Apr-2016	FILED: Returned US Mail, Letter dated 3/25/16, addressed to Samuel Rudolph Rotondo, refused/unable to forward

Information presented in this document may not reflect all case activity and is subject to change without notice.

32 PROCEEDING ENTRIES

8.	13-May-2016	FILED: Notice of Appearance; Certificate of Service (Petitioner)
9.	13-May-2016	FILED: Motion to Reinstate; Certificate of Service (Petitioner)
10.	17-May-2016	FILED: Response to Petition Motion to Reinstate Appeal; Certificate of Service (Respondent)
11.	17-May-2016	FILED: Appendix (Respondent)
12.	24-May-2016	ORDERED: Motion to Reinstate (Petitioner) = GRANTED. FURTHER ORDERED: Compliant Petition for Review due 06/24/2016. FURTHER ORDERED: Record due 07/15/2016. Anthony Mackey ProTem Judge - Author
13.	3-Jun-2016	FILED: Motion for Telephonic Conference and Extension of Time; Certificate of Service (Petitioner)
14.	3-Jun-2016	FILED: Returned US Mail, Order dated 05/24/2016, addressed to Samuel Rudoph Rotondo, Refused-Undeliverable
15.	14-Jun-2016	ORDERED: Motion for Telephonic Conference = DENIED/Petitioner may seek such order from an appropriate Nevada State court. ORDERED: Extension of Time (Petitioner) = GRANTED/Extending the time for filing the Petition for Review due 07/15/2016. Anthony Mackey ProTem Judge - Author
16.	29-Jun-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
17.	1-Jul-2016	FILED: Motion for an Order of Transport and for an Extension of Time; Certificate of Service Re: Motion for Motion for an Order of Transport and for an Extension of Time (Petitioner)
18.	12-Jul-2016	ORDERED: Motion for an Order of Transport = DENIED. FURTHER ORDERED: Extension of Time (Compliant Petition for Review) = GRANTED/Due date EXTENDED to 09/12/2016. Hon Maurice Portley - Author
19.	31-Aug-2016	FILED: Motion for Procedural Order to Extend Time; Certificate of Service Re: Motion for Procedural Order to Extend Time (Petitioner)
20.	31-Aug-2016	ORDERED: Motion for Procedural Order to Extend Time (Petitioner) = GRANTED/Due date EXTENDED from Monday, 09-12-2016 to Wednesday, 10-12-2016. Anthony Mackey ProTem Judge - Author
21.	11-Oct-2016	FILED: Motion for Order Requiring the Navajo County Clerk to Transmit Transcripts and for Extension of Time; Certificate of Service: Motion for Order and Extension of Time (Appellant)
22.	17-Oct-2016	ORDERED: Motion for Order Requiring the Navajo County Clerk to Transmit Transcripts(Appellant) = GRANTED/Transcript due 10/28/2016. FURTHER ORDERED: Clerk of Navajo County Superior Court supplement the record on appeal by forwarding to this court a copy of the transcript due 10/28/2016. FURTHER ORDERED: Extension of Time (Compliant Petition for Review) = GRANTED/Due date EXTENDED from Wednesday, 10-12-2016 to Monday, 11-28-2016 Anthony Mackey ProTem Judge - Author
23.	18-Oct-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Recordn (includes original transcript)
24.	18-Oct-2016	FILED: Reporters Transcript - 10/16/2014 - Evidentiary Hearing (sealed) (Josie M Roper)
25.	31-Oct-2016	FILED: Returned US Mail, Order dated 10/17/2016, addressed to Samuel Rudolph Rotondo, Undeliverable
26.	28-Nov-2016	FILED: Motion for Recertification of Rule 32 Hearing Transcript and for Extension of Time; Certificate of Service Re: Motion for Recertification of Rule 32 Hearing Transcript and for Extension of Time (Petitioner)
27.	6-Dec-2016	ORDERED: Motion for Recertification of Rule 32 Hearing Transcript (Petitioner) = DENIED/Without prejudice to refiling a motion if, after notifying court reporter Josie Roper of the asserted errors, the court reporter fails to file either a corrected or recertified transcript. FURTHER ORDERED: for Extension of Time (Petitioner) = GRANTED/Due date EXTENDED from Monday, 11-28-2016 to Friday, 01-06-2017. Anthony Mackey ProTem Judge - Author
28.	29-Dec-2016	FILED: Reporters Transcript - 10/16/2014 - Evidentiary Hearing (sealed) (Josie M Roper)
29.	6-Jan-2017	FILED: Motion for Oral Argument; Certificate of Service re: Request for Oral Argument (Petitioner)
30.	6-Jan-2017	FILED: Petition for Review; Certificate of Service re: Petition for Review (Petitioner)
31.	19-Jan-2017	ORDERED: Motion for Oral Argument (Petitioner) = DENIED. Hon Michael J Brown - Author
32.	3-Feb-2017	FILED: Response to Petitioner's Petition for Review; Certificate of Service; Appendix; Certificate of compliance (Respondent)

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