

**Court of Appeals, Division One**

**Criminal - Anders Appeal**

**1 CA-CR 16-0305**

**STATE v. CHAVEZ**

**Appellate Case Information**

Case Filed: 6-May-2016  
Case Closed:

**Dept/Composition**

**Department A**  
Hon. Kenton D Jones  
Hon. Randall M Howe  
Hon. Donn Kessler

**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. JUAN MANUEL CHAVEZ, Appellant**

(Litigant Group) JUAN MANUEL CHAVEZ

- Juan Manuel Chavez

**Attorneys for: Appellant**

Michael J Dew, Esq. (AZ Bar No. 4543)

**CASE STATUS**

Dec 28, 2016....Under Advisement

Dec 28, 2016....Assigned

| PREDECESSOR CASE(S)   | Cause/Charge/Class                            | Judgment/Sentence | Judge, Role <Comments>           | Trial | Dispo |
|-----------------------|---|-------------------|----------------------------------|-------|-------|
| MAR CR2014-101311-001 | Attempt to Commit Aggravated Robbery, Class 4 | 4.5 Years         | Carolyn K Passamonte, Sentencing | JURY  |       |

**2 PENDING MATTERS**

**General Motion**

Filed: 11-Jan-2017

*Appellant Demanded Order for Motion for Appointment of Counsel and Dismiss Michael J. Dew with Prejudice INCLUDING THE ANDERS BRIEF (Appellant Pro Per)*

**General Motion**

Filed: 11-Jan-2017

*APPELLANT DEMANDED ORDER FOR MOTION FOR APPOINTMENT OF COUNSEL AND DISMISS MICHAEL J. DEW WITH PREJUDICE including the Anders Brief (Appellant Pro Per)*

**56 PROCEEDING ENTRIES**

- 6-May-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 04/29/16. Notification to Court Reporters dated 05/05/2016.
- 17-May-2016 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 07/01/2016. Anthony Mackey ProTem Judge - Author
- 3-Jun-2016 FILED: Reporter's Transcript - 03/22/2016 - Sentencing (Amy Zoller)
- 3-Jun-2016 FILED: Reporter's Transcript - 04/29/2016 - Sentencing (Amy Zoller)
- 10-Jun-2016 FILED: Additional Record On Appeal:  
Exhibits:  
Hearing Date 11/12/15 - List # 4 5 6 7 8 9 10 11 14 in Manila Envelope
- 10-Jun-2016 FILED:e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None Sent with e-Record
- 28-Jun-2016 FILED: Reporter's Transcript - 11/18/2015 - Trial PM Session (Cindy Lineburg)
- 30-Jun-2016 FILED: First Motion for Extension of Time to File Transcripts (Brigid Donovan)
- 1-Jul-2016 FILED: First Motion for Extension of Time to File Transcripts (Brigid Donovan) (DUPLICATE)
- 4-Jul-2016 FILED: Reporter's Transcript - 11/16/2015 - Jury Trial-Day 2- (Linda Lopez)
- 5-Jul-2016 FILED: Reporter's Transcripts - 11/17/2015 - Trial (Kristi Week)

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12. 5-Jul-2016 FILED: Reporter's Transcripts - 11/18/2015 - Trial (Kristi Week)
13. 6-Jul-2016 FILED: Courtesy copy of Designation of Record originally filed in Superior Court
14. 7-Jul-2016 ORDERED: First Motion for Extension of Time to File Transcripts (Brigid Donovan) = GRANTED/Due date EXTENDED from Friday, 07-01-2016 to Monday, 08-08-2016 for transcript dated 11/12/2015 or OSC 08/17/2016. Hon Samuel A Thumma - Author
15. 8-Jul-2016 ORDERED: Ken Crenshaw transcripts dated 02/12/2014, 04/28/2014, 07/01/2014, 10/28/2014, 02/18/2015, 10/19/2015, 11/10/2015, 02/12/2016 due 08/08/2016. Hon Samuel A Thumma - Author
16. 8-Jul-2016 ORDERED: Court Reporter Tara L Kramer transcripts dated 05/12/2014, 07/24/2014, 09/30/2014, 10/14/2014, 11/10/2014 due 08/08/2016. Hon Samuel A Thumma - Author
17. 8-Jul-2016 ORDERED: Court Reporter Jovanna Roman transcript dated 01/26/2015 due 08/08/2016. Hon Samuel A Thumma - Author
18. 8-Jul-2016 ORDERED: Court Reporter Melissa A Gonsalves transcript dated 04/01/2015 due 08/08/2016. Hon Samuel A Thumma - Author
19. 8-Jul-2016 ORDERED: Court Reporter Barbara H Stockford transcript dated 06/15/2015 due 08/08/2016. Hon Samuel A Thumma - Author
20. 8-Jul-2016 ORDERED: Court Reporter Crystal Hereford transcript dated 07/15/2015 due 08/08/2016. Hon Samuel A Thumma - Author
21. 8-Jul-2016 ORDERED: Court Reporter Jane A Westlund transcript dated 07/15/2015 due 08/08/2016. Hon Samuel A Thumma - Author
22. 11-Jul-2016 FILED: Reporter's Transcript - 04/01/2015 - Status Conference (Melissa Gonsalves)
23. 12-Jul-2016 FILED: Reporter's Transcript - 02/12/14 - Status Conference (Norma Catoe)
24. 12-Jul-2016 FILED: Reporter's Transcript - 02/12/16 - Settlement Conference and Plea Hearing (Norma Catoe)
25. 12-Jul-2016 FILED: Reporter's Transcript - 02/18/15 - Motion for Complex Case Designation, Scheduling Conference and Joint Case Management Plan (Norma Catoe)
26. 12-Jul-2016 FILED: Reporter's Transcript - 04/28/14 - Status Conference (Norma Catoe)
27. 12-Jul-2016 FILED: Reporter's Transcript - 07/01/14 - Trial Continuance Past Original Last Day (Norma Catoe)
28. 12-Jul-2016 FILED: Reporter's Transcript - 10/19/15 - Trial Continuance Past Last Day (Norma Catoe)
29. 12-Jul-2016 FILED: Reporter's Transcript - 10/28/14 - Final Trial Management Conference (Norma Catoe)
30. 12-Jul-2016 FILED: Reporter's Transcript - 11/10/15 - Trial Setting (Norma Catoe)
31. 12-Jul-2016 FILED: Reporter's Transcript - 01/26/15 - Comprehensive Pretrial Conference (Jovanna Roman)
32. 22-Jul-2016 FILED: Reporter's Transcript - 05/12/2014 - Comprehensive Pretrial Conference (Tara L. Kramer)
33. 22-Jul-2016 FILED: Reporter's Transcript - 07/24/2014 - Status Conference (Tara L. Kramer)
34. 22-Jul-2016 FILED: Reporter's Transcript - 09/30/2014 - Final Trial Management Conference (Tara L. Kramer)
35. 22-Jul-2016 FILED: Reporter's Transcript - 10/14/2014 - Oral Argument on Motion to Sever (Tara L. Kramer)
36. 22-Jul-2016 FILED: Reporter's Transcript - 11/10/2014 - Final Trial Management Conference (Tara L. Kramer)
37. 1-Aug-2016 FILED: Reporter's Transcript - 11/12/2015 - Trial Day 1- (Brigid M. Donovan)
38. 5-Aug-2016 FILED: Reporter's Transcript - 06/15/2015 - FTMC (Barbara Stockford)
39. 8-Aug-2016 FILED: Reporter's Transcript - 7/15/2015 (Crystal Hereford)
40. 10-Aug-2016 FILED: Reporter's Transcript - 07/15/2015 - Settlement Conference - (Jane Westlund)
41. 22-Aug-2016 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
42. 23-Aug-2016 FILED: Notice of Completion of Record
43. 30-Aug-2016 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED/Unsealing the continuity of care plan, IOR 44, and the random jury list, IOR 103 for this appeal only. Anthony Mackey ProTem Judge - Author

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**56 PROCEEDING ENTRIES**

44. 9-Sep-2016 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
45. 20-Sep-2016 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED/Appointing Michael Dew as attorney for appellant. FURTHER ORDERED: Maricopa County Public Defender forward to newly-appointed counsel all files, records, transcripts. FURTHER ORDERED: Motion to Extend Opening Brief Due Date = GRANTED/Due date EXTENDED from Friday, 10-07-2016 to Thursday, 11-03-2016. Anthony Mackey ProTem Judge - Author
46. 3-Nov-2016 ORDERED: Opening brief due date EXTENDED from Thursday, 11-03-2016 to Monday, 12-05-2016. Fred Cole ProTem Judge - Author
47. 28-Nov-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
48. 28-Nov-2016 FILED: Motion for Leave to File Brief in Propria Persona; Certificate of Service (Appellant)
49. 29-Nov-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 1/9/17; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
50. 5-Dec-2016 FILED: Letter, dated 12/05/2016 to Appellant from Counsel re: Forwarding Record on Appeal
51. 23-Dec-2016 FILED: APPELLANT'S SUPPLEMENTAL BRIEF IN PROPRIA PERSONA (Appellant Pro Per)
52. 28-Dec-2016 FILED: Assigning Anders appeal to Dept A for consideration and disposition. [Amy M. Wood, Clerk]
53. 28-Dec-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
54. 29-Dec-2016 FILED: Letter, 12/25/16, from Appellant to Court re: Original and Two Copies of Supplemental Brief mailed
55. 3-Jan-2017 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcripts filed directly with COA1 previously and Designation of Record filed 07/06/2016)
56. 11-Jan-2017 FILED: Appellant Demanded Order for Motion for Appointment of Counsel and Dismiss Michael J. Dew with Prejudice including the Anders Brief (Appellant Pro Per)