

**Court of Appeals, Division One**

**Criminal - Anders Appeal**

**1 CA-CR 16-0525**

**STATE v. WHEELER**

**Appellate Case Information**

Case Filed: 9-Aug-2016  
Case Closed:

**Dept/Composition**

**Department D**  
Hon. Diane M Johnsen  
Hon. Margaret H Downie  
Hon. James P Beene

**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. DEWAYNE BRIAN WHEELER, Appellant**

(Litigant Group) DEWAYNE BRIAN WHEELER

- DeWayne Brian Wheeler

**Attorneys for: Appellant**

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

**CASE STATUS**

Jan 24, 2017.....Under Advisement

Jan 24, 2017.....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2015-005330-001	Sale or Transportation of Dangerous Drugs, Class 2	15.75 Years	Mark H Brain, Sentencing	JURY	

**19 PROCEEDING ENTRIES**

- 9-Aug-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/02/16. Notification sent to Court Reporters on 8/8/16.
- 16-Aug-2016 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 09/29/2016. Anthony Mackey ProTem Judge - Author
- 29-Aug-2016 FILED: Reporter's Transcript - 08/02/2016 - Sentencing (Christine Coaly)
- 7-Sep-2016 FILED: Reporter's Transcript - 06/30/2016 - Trial Day 3 (Christine Coaly)
- 8-Sep-2016 FILED: Reporter's Transcript - 06/28/2016 - Trial Day 1 (Christine Coaly)
- 12-Sep-2016 FILED: Reporter's Transcript - 06/29/2016 - Trial Day 2 (Christine Coaly)
- 13-Sep-2016 FILED:e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None sent with e-Record
- 16-Sep-2016 FILED: Additional Record on Appeal  
Exhibits:  
Hearing Date 06/28/2016 - List # 5 7 8 9 10 12 in a Manila Envelope  
Hearing Date 08/02/2016 - List # 1 in a Manila Envelope  
Sealed Items:  
Confidential Criminal History Addendum in a Sealed Manila Envelope
- 16-Sep-2016 FILED: Notice of Completion of Record
- 30-Sep-2016 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
- 12-Oct-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 Monday, 10-31-2016 to Friday, 11-25-2016. Anthony Mackey ProTem Judge - Author
- 17-Nov-2016 FILED: Courtesy Copy - Notice of Post-Conviction Relief filed in Maricopa County Superior Court on 11/14/2016
- 21-Nov-2016 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
- 22-Nov-2016 FILED: Motion for Leave to File Brief in Propria Persona; Certificate of Service (Appellant)

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15. 22-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 01/03/2017; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
16. 25-Nov-2016 FILED: Letter, dated 11/22/2016, to Appellant from Counsel re: Forwarding record on appeal
17. 24-Jan-2017 FILED: Assigning Anders appeal to Dept D for consideration and disposition. [Amy M. Wood, Clerk]
18. 24-Jan-2017 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
19. 3-Feb-2017 FILED: Supplemented Superior Court e-Record with Revised Index of Record