

**Court of Appeals, Division One**  
**Criminal**

**1 CA-CR 14-0444**

**STATE v. JEAN**

<p><b>Appellate Case Information</b></p> <p>Case Filed: 7-Jul-2014</p> <p>Case Closed:</p>	<p><b>Dept/Composition</b></p> <p><b>Department E</b></p> <p>Hon. Diane M Johnsen Hon. Patricia A Orozco Hon. Kenton D Jones</p>
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**Side 1. STATE OF ARIZONA, Appellee**  
**(Litigant Group) STATE OF ARIZONA**

● State of Arizona **Attorneys for: Appellee**  
Terry M Crist, Esq. (AZ Bar No. 28348)

**Side 2. EMILIO JEAN, Appellant**  
**(Litigant Group) EMILIO JEAN**

● Emilio Jean **Attorney for: Appellant**  
Brad Bransky, Esq. (AZ Bar No. 7350)

**CASE STATUS**

Jul 27, 2016.....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
CON S0300CR201200246	See File	See File	Cathleen Brown Nichols, Sentencing	JURY	

DESCENDENT CASE(S)
ASC CR-16-0283-PR

**CASE DECISION**

21-Jun-2016 **OPINION**

<p>Patricia Orozco.....Author</p> <p>Diane Johnsen.....Concur</p> <p>Kenton Jones.....Concur</p>	<p>Filed: 21-Jun-2016</p> <p>Mandate:</p>
<p>Decision Disposition</p> <p><b>Affirmed</b></p>	

**62 PROCEEDING ENTRIES**

- 7-Jul-2014 FILED: Notice of Appeal from Coconino County Superior Court filed 06/27/14. Notification to Corut Reporters dated 07/07/14.
- 7-Jul-2014 FILED:e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: None
- 9-Jul-2014 FILED: Courtesy Copy of Notice to Court Repoters Re: Notice of Filing of Appeal From Superior Court
- 11-Jul-2014 FILED: Additional Instrument filed 7/9/14 re: Clerk's Notice to Court Reporters RE: Notice of Appeal filed Amended
- 14-Jul-2014 FILED: Notice of Appearance; Certificate of Service (Appellant)
- 16-Jul-2014 ORDERED: appellant shall, on/before 8/11/14, make arrangements with court reporter to pay for preparation of transcript and shall promptly advise this court by letter as to arrangements made. If appellant fails by that date to notify this court, this appeal shall be dismissed. FURTHER ORDERED: if appellant believes they are entitled to proceed as indigent, copy of any indigency application shall be filed in this court on/before 8/11/14. Anthony Mackey ProTem Judge - Author
- 17-Jul-2014 FILED: Motion for Transcript Preparation; Certificate of Service; Appointment Order (Appellant)

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8. 21-Jul-2014 ORDERED: Notice of Appearance (Appellant) = GRANTED/vacating court's order dated 7/16/14, directing appellant to make financial arrangements for transcripts in this matter. FURTHER ORDERED court reporter Marcia Leonard to file all transcripts necessary for record on appeal by 8/11/14. Anthony Mackey ProTem Judge - Author
9. 8-Aug-2014 FILED: Additional Record on Appeal  
Exhibits:  
Hearing Date 09/20/13 - List # 2 3 4 5 6 7 8 9 10 11 12  
Hearing Date 02/18/14 through 03/04/14 - List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 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 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70  
71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 102 103 106 107 108 109 110 111  
112 113 115 116 117 118 122 123 124 125 126 131 132 133 134 138 142 143A 144 145 148 149 150 152 156 157
10. 11-Aug-2014 FILED: Motion for Extension of Time to File Transcripts (Marcia Leonard)
11. 21-Aug-2014 ORDERED: Motion for Extension of Time to File Transcripts (Marcia Leonard) = GRANTED. Due Dates EXTENDED to 09/22/2014 for Transcripts dated 02/19/2014, 02/20/2014, 02/21/2014, 02/25/2014, 02/26/2014, 02/27/2014, 02/28/2014, 03/04/2014, 03/05/2014, 03/06/2014, 06/17/2014. Hon Michael J Brown - Author
12. 22-Sep-2014 FILED: Motion for Substitution of Counsel on Appeal, or in the Alternative, to Proceed Pro Se (Appellant, Pro Per)
13. 22-Sep-2014 FILED: Reporter's Transcript- 2/19/14 -Jury Trial-Day 1 (Marcia Leonard)
14. 22-Sep-2014 FILED: Reporter's Transcript- 2/20/14 -Jury Trial-Day 2 (Marcia Leonard)
15. 22-Sep-2014 FILED: Reporter's Transcript- 2/21/14 -Jury Trial-Day 3 (Marcia Leonard)
16. 22-Sep-2014 FILED: Reporter's Transcript-2/25/14 -Jury Trial-Day 4 (Marcia Leonard)
17. 22-Sep-2014 FILED: Reporter's Transcript- 2/26/14 -Jury Trial-Day 5 (Marcia Leonard)
18. 22-Sep-2014 FILED: Reporter's Transcript -2/27/14 -Jury Trial-Day 6 (Marcia Leonard)
19. 22-Sep-2014 FILED: Reporter's Transcript- 2/28/14 -Jury Trial-Day 7 (Marcia Leonard)
20. 22-Sep-2014 FILED: Reporter's Transcript- 3/04/14 -Jury Trial-Day 8 (Marcia Leonard)
21. 22-Sep-2014 FILED: Reporter's Transcript- 3/05/14 -Jury Trial-Day 9 (Marcia Leonard)
22. 22-Sep-2014 FILED: Reporter's Transcript- 3/06/14 -Jury Trial-Day 10 (Marcia Leonard)
23. 22-Sep-2014 FILED: Reporter's Transcript -6/17/2014 -Sentencing (Marcia Leonard)
24. 26-Sep-2014 ORDERED: Motion for Substitution of Counsel on Appeal, or in the Alternative, to Proceed Pro Se (Appellant, Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
25. 9-Oct-2014 FILED: Notice of Completion of Record
26. 13-Nov-2014 FILED: Motion to Supplement Record; Certificate of Service (Appellant)
27. 19-Nov-2014 ORDERED: Motion to Supplement Record (Appellant) = GRANTED/Transcripts due 12/24/2014. FURTHER ORDERED: Opening Brief due date EXTENDED to 01/23/2015. Anthony Mackey ProTem Judge - Author
28. 26-Nov-2014 FILED: Courtesy Copy, Letter dated 11/21/14 to Brad Blansky from Emilio Jean re: inquiry re initial contact
29. 12-Jan-2015 FILED: Second Motion to Supplement; Certificate of Service (Appellant)
30. 13-Jan-2015 FILED: Reporter's Transcript-6/11/2013-Motions Hearing (Marcia Leonard)
31. 13-Jan-2015 FILED: Reporter's Transcript-7/23/2013-Motions Hearing (Marcia Leonard)
32. 13-Jan-2015 FILED: Reporter's Transcript-9/20/2013-Motions Hearing (Marcia Leonard)
33. 13-Jan-2015 FILED: Reporter's Transcript-2/5/2014-Motions Hearing (Marcia Leonard)
34. 20-Jan-2015 FILED: Amended Second Motion to Supplement Record; Certificate of Service (Appellant)

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35. 21-Jan-2015 ORDERED: Second Motion to Supplement = GRANTED/Transcripts due 02/19/2015. FURTHER ORDERED: Opening brief due date EXTENDED to 03/23/2015. Anthony Mackey ProTem Judge - Author
36. 5-Mar-2015 FILED: Reporter's Transcript-3/4/14-Settling Jury Instructions-(Marcia Leonard)
37. 5-Mar-2015 FILED: Affidavit in re Settling Jury Instructions 3/5/14 (Marcia Leonard)
38. 9-Mar-2015 ORDERED: Vacating the portion of this courts order dated 01/21/2015 which directed court reporter Marcia Leonard to file transcript of proceedings held 03/05/2015. FURTHER ORDERED granting appellant's second motion to supplement and directing court reporter Marcia Leonard to file transcript held on 03/05/2014 on/before 03/31/2015. FURTHER ORDERED: Opening Brief due date EXTENDED from Monday, 03-23-2015 to Thursday, 04-30-2015. Anthony Mackey ProTem Judge - Author
39. 13-Apr-2015 ORDERED: Court Reporter Marcia Leonard due date EXTENDED from Tuesday, 03-31-2015 to Wednesday, 05-13-2015 for transcript for Reading of Jury Instructions on 03/05/2014 or OSC on 05/20/2015. FURTHER ORDERED: Opening Brief due date EXTENDED to 06/22/2015. Hon Michael J Brown - Author
40. 12-May-2015 FILED: Reporter's Transcript-3/5/14-Jury Instructions-(Marcia Leonard)
41. 22-Jun-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
42. 8-Jul-2015 FILED: Notice of Appearance; Certificate of Service (Appellee)
43. 13-Aug-2015 ORDERED: Answering Brief due date EXTENDED from Monday, 08-10-2015 to Wednesday, 09-09-2015. Fred Cole ProTem Judge - Author
44. 24-Aug-2015 FILED: Motion for Leave to File a Supplemental Brief on Appeal (Appellant Pro Per)
45. 1-Sep-2015 ORDERED: Motion for Leave to File a Supplemental Brief on Appeal (Appellant Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
46. 2-Sep-2015 FILED: Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
47. 4-Sep-2015 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Wednesday, 09-09-2015 to Friday, 10-09-2015. Anthony Mackey ProTem Judge - Author
48. 9-Oct-2015 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
49. 26-Oct-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
50. 26-Oct-2015 ORDERED: Reply Brief due date EXTENDED from Tuesday, 11-03-2015 to Monday, 11-23-2015. Fred Cole ProTem Judge - Author
51. 4-Nov-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
52. 23-Nov-2015 FILED: Motion for Leave to Allow Appellant Leave of the Court to File a Supplemental Brief in ProPria Persona (Appellant Pro Per)
53. 23-Nov-2015 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
54. 30-Nov-2015 ORDERED: Motion for Leave to Allow Appellant Leave of the Court to File a Supplemental Brief in ProPria Persona (Appellant Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
55. 2-Dec-2015 CLNDR: CONFERENCE, Department E, 1-6-16, COURTROOM 1.
56. 29-Jan-2016 FILED: Notice of Change of Address (Appellant Pro Per)
57. 29-Jan-2016 FILED: Letter, undated, from Appellant to court, requesting copy of docket
58. 3-Feb-2016 FILED: Letter, 2/3/16, from Court to Appellant, enclosing copy of docket
59. 21-Jun-2016 OPINION (Affirmed) Hon Patricia A Orozco - Author; Hon Diane M Johnsen - Concur; Hon Kenton D Jones Judge - Concur
60. 21-Jun-2016 FILED: Opinion Distribution List

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- 61. 27-Jul-2016 FILED: Email Notice from ASC re: Petition for Review filed 7/26/16; request for partial record
- 62. 27-Jul-2016 FILED: Letter forwarding partial record to Arizona Supreme Court