Court of Appeals, Division One

Criminal

1 CA-CR 15-0029 — STATE v. JOHNSON

Appellate Case Information

Case Filed: 20-Jan-2015

Case Closed: 23-Jan-2017

Decision

Dept/Composition

Department C

Hon. Diane M Johnsen
Hon. Jon W Thompson

Consolidated with: 1 CA-CR 15-0024 1 CA-CR 15-0030 1 CA-CR 16-0031

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**

Attorneys for: Appellee

Robert A Walsh, Esq. (AZ Bar No. 16071)

Side 2. ROLLINS R JOHNSON, III, Appellant

(Litigant Group) ROLLINS R JOHNSON, III

- **Rollins R Johnson, III**

Attorneys for: Appellant

Janelle A McEachern, Esq. (AZ Bar No. 16652)

CASE STATUS

Jan 23, 2017....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2011-109960-002			Brian Kaiser, Hearing	PROBVIOL	

CASE DECISION

06-Dec-2016 MEMORANDUM DECISION

Jon Thompson.....Author
Diane Johnsen.....Concur
Thomas Kleinschmidt.....Concur

Filed: **06-Dec-2016** Mandate: **23-Jan-2017**

Decision Disposition
Affirmed

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-CR 15-0024	STATE v. JOHNSON
1 CA-CR 15-0030	STATE v. JOHNSON
1 CA-CR 16-0031	STATE v. JOHNSON

41 PROCEEDING ENTRIES

1.	20-Jan-2015	FILED: Notice of Appeal from Maricopa County Superior Court filed 01/13/15. Notification to Court Reporters dated 01/16/2015. Includes Designation of Record.
2.	23-Feb-2015	FILED: Reporter's Transcript - 09/19/13 - Sentencing (Marmie Guimont)
3.	26-Feb-2015	FILED: e-Record on Appeal: Instruments/Minute entries: combined Disposition Report: None Exhibits: None
4.	3-Mar-2015	ORDERED: Consolidating cases 1 CA-CR 15-0024, 1 CA-CR 15-0029 and 1 CA-CR 15-0030. Case No. 1 CA-CR 15-0024 is designated the primary number. FURTHER ORDERED: Vacating the notice of completion and opening brief due date in the 1 CA-CR 15-0030 matter. Anthony Mackey ProTem Judge - Author
5.	9-Mar-2015	FILED: Request for Extension of Time (to File Transcripts) (Gail Ferguson)
6.	12-Mar-2015	ORDERED: Court Reporter Helene Paustian due date EXTENDED from Friday, 02-27-2015 to Monday, 04-13-2015 for transcript of proceedings held on 08/15/2013. Hon Michael J Brown - Author

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

41 PROCEEDING ENTRIES

7.	12-Mar-2015	ORDERED: Court Reporter Brenda J Brown due date EXTENDED from Friday, 02-27-2015 to Monday, 04-13-2015 for transcript of proceedings held on 04/29/2013. Hon Michael J Brown - Author
8.	12-Mar-2015	ORDERED: Request for Extension of Time (to File Transcripts) (Gail Ferguson) = GRANTED. Due Dates EXTENDED to 04/13/2015 for Transcripts dated 08/13/2013, 08/14/2013. Hon Michael J Brown - Author
9.	12-Mar-2015	ORDERED: Court Reporter Kimberly D McAndrews due date EXTENDED from Friday, 02-27-2015 to Monday, 04-13-2015 for transcript of proceedings held on 11/20/2012. Hon Michael J Brown - Author
10.	13-Apr-2015	FILED: Reporter's Transcript - 8-15-13 - Jury Trial/Aggravating Circumstance Hrg/Trial on Priors (Helene Paustian)
11.	14-Apr-2015	ORDERED: Court Reporter Gail Ferguson due dates EXTENDED to 05/14/2015 for Transcripts dated 08/13/2013, 08/14/2013 or OSC on 05/20/2015. Hon Michael J Brown - Author
12.	20-May-2015	FILED: Reporter's Transcripts: - 8/13/2013 - trial (Gail Ferguson)
13.	20-May-2015	FILED: Reporter's Transcripts: - 8/14/2013 - trial (Gail Ferguson)
14.	21-May-2015	FILED: Notice of Completion of Record
15.	3-Jun-2015	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
16.	9-Jun-2015	ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing Janelle McEachern as counsel for appellant. FURTHER ORDERED: Maricopa County Public Defender forward all files to newly appointed counsel. FURTHER ORDERED: Motion to Extend Opening Brief Due Date (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-06-2015 to Thursday, 07-23-2015 Fred Cole ProTem Judge - Author
17.	22-Jul-2015	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Mailing (Appellant) (STRIKEN per order dated 02/08/16)
18.	22-Jul-2015	FILED: Motion for Leave of Appellant to File Supplemental Brief in Propria Persona; Certificate of Mailing (Appellant)
19.	22-Jul-2015	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 8/31/15; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
20.	11-Sep-2015	FILED: Assigning Anders appeal to Dept E for consideration and disposition. [Ruth Willingham, Clerk]
21.	11-Sep-2015	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
22.	17-Sep-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
23.	18-Sep-2015	ORDERED: Staying these consolidated appeals. FURTHER ORDERED: Revesting jurisdiction to the Superior Court of Maricopa County. FURTHER ORDERED: Superior Court supplement the record of its rulings on the above motions, within five days from the entry. Hon Patricia A Orozco - Author
24.	4-Dec-2015	FILED: Maricopa County Superior Court Minute entry dated 11/27/2015 re: Ruling on stayed appeal
25.	9-Dec-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
26.	24-Dec-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
27.	8-Feb-2016	ORDERED: Vacating the previous assignment of this case to Department E. FURTHER ORDERED: Striking Appellant's Opening Brief previously filed in this matter on 07/22/15. FURTHER ORDERED: Directing Appellant's counsel to file a new Opening Brief no later than 04/08/16. FURTHER ORDERED: Directing the State to file an Answering Brief within forty-five days of the service of Appellant's Opening Brief. FURTHER ORDERED: Vacating of the Anders designation in these appeals, only Appellant's counsel shall file future motions and/or supplemental briefing. Hon Patricia A Orozco - Author
28.	8-Feb-2016	ORDERED: Consolidating case 1 CA-CR 16-0031 with the previously consolidated appeals: 1 CA-CR 15-0024, 1 CA-CR 15-0029 and 1 CA-CR 15-0030 Hon Patricia A Orozco - Author

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1 CA-CR 15-0029 STATE v. JOHNSON

41 PROCEEDING ENTRIES

29.	13-Apr-2016	ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED/ Due date EXTENDED from Friday, 04-08-2016 to Monday, 05-09-2016. Anthony Mackey ProTem Judge - Author
30.	9-May-2016	FILED: Appellant's Amended Opening Brief; Certificate of Compliance; Certificate of Mailing (Appellant)
31.	20-May-2016	FILED: Notice of Appearance; Certificate of Service (Appellee)
32.	22-Jun-2016	ORDERED: Answering Brief due date EXTENDED from Monday, 06-27-2016 to Wednesday, 07-27-2016. Fred Cole ProTem Judge - Author
33.	27-Jul-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
34.	27-Jul-2016	FILED: Appendices to Appellee's Answering Brief (Appellee)
35.	29-Aug-2016	CLNDR: CONFERENCE, Department C, 10-19-16, COURTROOM 1.
36.	31-Aug-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
37.	9-Sep-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
38.	6-Dec-2016	MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon Thomas C Kleinschmidt - Concur
39.	6-Dec-2016	FILED: Memorandum Decision Distribution List
40.	10-Jan-2017	FILED: Courtesy Copy - Notice of Post-Conviction Relief filed in Maricopa County Superior Court on 01/05/2017
41.	23-Jan-2017	FILED: Mandate, Record returned to superior court.

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