

Court of Appeals, Division One

Criminal

1 CA-CR 15-0200

STATE v. STEPHENS

Appellate Case Information

Case Filed: 30-Mar-2015
Case Closed: 23-Jan-2017

Decision

Dept/Composition

Department C

Hon. Patricia A Orozco
Hon. Peter B Swann
Hon. Jon W Thompson

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. DEBRA ELIZABETH STEPHENS, Appellant

(Litigant Group) DEBRA ELIZABETH STEPHENS

- Debra Elizabeth Stephens

Attorney for: Appellant

David Goldberg, Esq. (AZ Bar No. 12726)

CASE STATUS

Jan 23, 2017....Case Closed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: LAP, S1500CR201400129, Possession of Dangerous Drugs for Sale, Class 2; Possession of Drug Paraphernalia, Class 6, 10 Years; 1 Year, Samuel E Vederman, Sentencing, JURY.

DESCENDENT CASE(S)

ASC CR-16-0229-PR

CASE DECISION

31-May-2016 MEMORANDUM DECISION

Patricia Orozco.....Author
Peter Swann.....Concur
Jon Thompson.....Concur

Filed: 31-May-2016 Mandate: 23-Jan-2017

Decision Disposition

Affirmed

53 PROCEEDING ENTRIES

- 1. 30-Mar-2015 FILED: Notice of Appeal from La Paz County Superior Court filed 03/23/15. Notification to Court Reporters dated 03/26/15.
2. 30-Mar-2015 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: #109 Exhibits: None
3. 30-Mar-2015 FILED: Courtesy Copy of Notice of Filing of Appeal From Superior Court
4. 6-Apr-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
5. 7-Apr-2015 ORDERED: Appointing Karen Hobbs as counsel for appellant. FURTHER ORDERED: Transcripts due 05/21/2015. (See Amended Order dated 04/08/2015) Anthony Mackey ProTem Judge - Author
6. 8-Apr-2015 AMENDED ORDER: Appointing La Paz County Public Defender's Office as counsel for appellant. FURTHER ORDERED: Transcripts due 05/21/2015. Anthony Mackey ProTem Judge - Author
7. 20-Apr-2015 FILED: Notice of Appearance of Appellant's Counsel; Appellant's Certificate of Service; Appointment of Counsel (Appellant)
8. 20-Apr-2015 FILED: Motion to Supplement the Record and Rescind the Notice of Completion of Record; Appellant's Certificate of Service (Appellant)

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9. 23-Apr-2015 FILED: Appellant's Second Motion to Supplement the Record; Appellant's Certificate of Service (Appellant)
10. 29-Apr-2015 ORDERED: MOTION TO SUPPLEMENT THE RECORD (Appellant) = GRANTED/Transcripts due 05/28/2015. Anthony Mackey ProTem Judge - Author
11. 29-Apr-2015 ORDERED: Appellant's Second Motion to Supplement the Record (Appellant) = GRANTED/Clerk of La Paz County Superior Court to forward certified copy of the State of Arizona's power point presentation used in closing argument due by 05/18/2015. Anthony Mackey ProTem Judge - Author
12. 4-May-2015 FILED: Letter from La Paz County Clerk of the Superior Court re: State of Arizona's power point presentation not marked/included as exhibit
13. 11-May-2015 ORDERED: Staying this appeal to/including 06/10/2015. Appeal will be automatically reinstated 06/11/2015. FURTHER ORDERED: Superior Court to locate/submit reconstructed power point presentation by 06/11/2015. Anthony Mackey ProTem Judge - Author
14. 26-May-2015 FILED: Request for Extension (of Time to File Transcripts) (Sharon Bradley)
15. 28-May-2015 FILED: Reporters Transcript Jury Trial - Day 3 - Appeal (Juliette L Vidaurri)
16. 5-Jun-2015 ORDERED: Request for Extension (of Time to File Transcripts) (Sharon Bradley) = GRANTED. Due Dates EXTENDED to 07/13/2015 for Transcripts dated 01/16/2015, 10/13/2014, 01/07/2015, 01/12/2015, 01/13/2015, 01/15/2015 or OSC 7/15/15 Hon Michael J Brown - Author
17. 5-Jun-2015 ORDERED: Court Reporter Karen Lattin Transcript dated 3/23/15 due date EXTENDED from Thursday, 05-28-2015 to Monday, 07-06-2015 or OSC 7/15/15. Hon Michael J Brown - Author
18. 10-Jun-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 11-Jun-2015 FILED: Additional Record on Appeal  
Exhibits:  
UNLABELED 2 cd's, one labeled Original, one labeled reconstructed, containing powerpoints
20. 13-Jul-2015 FILED: Reporters Transcript 01/15/2015 (Sharon Bradley)
21. 13-Jul-2015 FILED: Reporters Transcript 01/16/2015 (Sharon Bradley)
22. 13-Jul-2015 FILED: Reporters Transcript 10/13/2014 (Sharon Bradley)
23. 13-Jul-2015 FILED: Reporters Transcript 01/07/2015 (Sharon Bradley)
24. 13-Jul-2015 FILED: Reporters Transcript 06/08/2015 (Sharon Bradley)
25. 13-Jul-2015 FILED: Reporters Transcript 01/12/2015 (Sharon Bradley)
26. 13-Jul-2015 FILED: Reporters Transcript 01/13/2015 (Sharon Bradley)
27. 13-Jul-2015 FILED: Reporters Transcript 05/26/2015 (Sharon Bradley)
28. 13-Jul-2015 FILED: Reporters Transcript 06/01/2015 (Sharon Bradley)
29. 14-Jul-2015 ORDERED: Court Reporter Sharon Bradley transcript dated 3/23/15 due date EXTENDED to Monday, 07/20/15 or OSC 8/5/15. Hon Samuel A Thumma - Author
30. 17-Jul-2015 FILED: Motion to Supplement the Record; Certificate of Service (Appellant)
31. 17-Jul-2015 FILED: Reporter's Transcript - 03/23/15 - Trial - (Sharon E Bradley)

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32. 22-Jul-2015 ORDERED: Motion to Supplement the Record (Appellant) = DENIED. FURTHER ORDERED: Staying this appeal to/including 8/20/15 and revesting jurisdiction in La Paz County Superior Court for permitting trial court parties to settle record in this matter. FURTHER ORDERED: Superior Court shall transmit certified copy of findings/reconstructed materials within five days after entry, no later than 8/21/15. FURTHER ORDERED: Appeal shall be automatically reinstated 8/21/15 without further order. FURTHER ORDERED: Opening Brief due 9/21/15. Anthony Mackey ProTem Judge - Author
33. 19-Aug-2015 FILED: Motion to Continue Stay of Appeal; Copy of emails sent to each party with motion attached (Appellee)
34. 25-Aug-2015 ORDERED: Motion to Continue Stay of Appeal (Appellee) = GRANTED/Continuing the stay of this appeal to and including 10/05/15. The reinstatement date is extended to 10/06/15. FURTHER ORDERED extending the time for filing the Opening Brief to and including 11/05/15. Anthony Mackey ProTem Judge - Author
35. 12-Oct-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
36. 15-Oct-2015 FILED: Additional Record on Appeal  
Exhibits:  
CD- Reconstructed Power Point filed on 8/18/2015  
CD- Closing Power Point filed on 8/27/2015
37. 21-Oct-2015 FILED: Appellant's First Motion for Extension of Time for Filing of Opening Brief; Certificate of Service (Appellant)
38. 29-Oct-2015 ORDERED: Appellant's First Motion for Extension of Time for Filing of Opening Brief (Appellant)= GRANTED. Due date EXTENDED from Thursday, 11-05-2015 to Monday, 12-07-2015. Anthony Mackey ProTem Judge - Author
39. 17-Nov-2015 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service (Appellant)
40. 5-Jan-2016 ORDERED: Answering Brief due date EXTENDED from Monday, 01-04-2016 to Wednesday, 02-03-2016. Fred Cole ProTem Judge - Author
41. 3-Feb-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
42. 16-Feb-2016 FILED: Courtesy Copy of Minute Entry filed in La Paz County Superior Court on 02/08/16 re: Defendant Letter
43. 26-Feb-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
44. 26-Feb-2016 FILED: RECEIPT dated 02/26/16 for Memorandum re: Record Receipt Noted - There is no electronic or physical record to be transmitted
45. 29-Feb-2016 FILED: Appellant's Reply Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service (Appellant)
46. 31-Mar-2016 CLNDR: CONFERENCE, Department C, 5-4-16, COURTROOM 1.
47. 31-May-2016 MEMORANDUM DECISION (Affirmed) Hon Patricia A Orozco - Author; Hon Peter B Swann - Concur; Hon Jon W Thompson - Concur
48. 31-May-2016 FILED: Memorandum Decision Distribution List
49. 21-Jun-2016 FILED: Email Notice from ASC re: Petition for Review filed 6/20/16; request for partial record
50. 23-Jun-2016 FILED: Letter forwarding partial record to Arizona Supreme Court
51. 22-Dec-2016 FILED: Letter from ASC, 12/22/2016, re: Petition for Review DENIED on 12/22/2016
52. 23-Jan-2017 FILED: Mandate, Record returned to superior court.
53. 23-Jan-2017 FILED: Letter, 01/23/2017, to Dept Public Safety, re: certified copy of this Court's Mandate dated 01/23/2017/final disposition report