

Court of Appeals, Division One
Criminal

1 CA-CR 15-0404

STATE v. KOHLER

Appellate Case Information

Case Filed: 18-Jun-2015
Case Closed:

Dept/Composition

Department B
Hon. Randall M Howe
Hon. Lawrence F Winthrop
Hon. Jon W Thompson

Side 1. STATE OF ARIZONA, Appellee
(Litigant Group) STATE OF ARIZONA

• State of Arizona

Attorneys for: Appellee

David Simpson, Esq. (AZ Bar No. 30571)

Side 2. LONNIE KOHLER, Appellant

(Litigant Group) LONNIE KOHLER

• Lonnie Kohler

Attorneys for: Appellant

Matthew O Brown, Esq. (AZ Bar No. 25213)

CASE STATUS

Nov 28, 2016....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2013-003609-001	Sexual Conduct with a Minor, Class 2; Influencing a Witness, Class 5	27 Years; 27 Years; 27 Years; 27 Years; 2 Years	John R Ditsworth, Sentencing	JURY	

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR
17-Jan-2017 Department B; COURTROOM 2

90 PROCEEDING ENTRIES

- 18-Jun-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/12/15. Notification sent to Court Reporters dated 06/17/2015.
- 23-Jun-2015 FILED: 09/29/2014 - Jury Trial - (Melody O'Donnell)
- 23-Jun-2015 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: All transcripts in case due 8/6/15. Anthony Mackey ProTem Judge - Author
- 17-Jul-2015 FILED: Courtesy Copy of Designation of Record for Appeal Filed in Superior Court (Appellant)
- 20-Jul-2015 ORDERED: Court Reporter Crystal Hereford transcripts dated 9/30/14, 11/13/14 due 8/19/15. Hon Samuel A Thumma - Author
- 20-Jul-2015 ORDERED: Court Reporter Karen Dawson transcripts dated 9/3/14, 9/4/14, 9/10/14, 9/11/14, 10/1/14, 10/2/14, 10/7/14, 3/6/15 due 8/19/15. Hon Samuel A Thumma - Author
- 20-Jul-2015 ORDERED: Court Reporter Kristen Brown transcript dated 8/28/14 due 8/19/15. Hon Samuel A Thumma - Author
- 20-Jul-2015 ORDERED: Court Reporter Patricia Kotarba transcript dated 8/7/14 due 8/19/15.
- 20-Jul-2015 ORDERED: Court Reporter Wanda Bauer transcripts dated 4/18/14, 10/6/14, 10/6/14 due 8/19/15. Hon Samuel A Thumma - Author

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10. 20-Jul-2015 ORDERED: Court Reporter Carrie Newman transcript dated 4/4/14 due 8/19/15. Hon Samuel A Thumma - Author
11. 20-Jul-2015 ORDERED: Court Reporter Laura Ashbrook transcript dated 4/2/14 due 8/19/15. Hon Samuel A Thumma - Author
12. 20-Jul-2015 ORDERED: Court Reporter Dotty Reaume transcript dated 2/18/14 due 8/19/15. Hon Samuel A Thumma - Author
13. 21-Jul-2015 FILED: Reporter's Transcript - 06/05/2015 - Sentencing (Marylynn LeMoine)
14. 22-Jul-2015 FILED: 09/23/2014 - Jury Trial Day 8 afternoon session (Robin Bobbie)
15. 23-Jul-2015 FILED: Reporter's Transcript - 09/17/2014 - Trial Day Seven (Jovanna Roman for Brenda Brown)
16. 23-Jul-2015 FILED: Reporter's Transcript - 2/18/14 - Final Trial Management Conference (Dotty Reaume)
17. 24-Jul-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits:
Hearing Date 08/21/14 - LIST # 3 4 5 In Manila Envelope.
Hearing Date 09/03/14 - LIST # 2 3 16 17 18 19 23 25 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 50 51
52 62 65 71 72 73 74 75 76 77 78 79 80 84 85 86 87 88 89 90 91 92 93 95 107 111 112 In Manila Envelope.
18. 24-Jul-2015 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 08/21/14 - LIST # 3 4 5 In Manila Envelope.
Hearing Date 09/03/14 - LIST # 2 3 16 17 18 19 23 25 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 50 51
52 62 65 71 72 73 74 75 76 77 78 79 80 84 85 86 87 88 89 90 91 92 93 95 107 111 112 In Manila Envelope.
19. 29-Jul-2015 FILED: Reporter's Transcript - 09-15-14 - Trial Day 5 (Alisa Smith)
20. 29-Jul-2015 FILED: Motion for Extension of Time to File Transcripts (April Escobedo)
21. 30-Jul-2015 FILED: Reporter's Transcript - 09/09/14 - Trial - Day 2 - Afternoon (Scott A. Kindle)
22. 4-Aug-2015 ORDERED: Motion for Extension of Time to File Transcript dated 9/16/14 (April Escobedo) due date EXTENDED from Thursday, 08-06-2015 to Tuesday, 09-08-2015 or OSC 9/16/15. Hon Samuel A Thumma - Author
23. 5-Aug-2015 FILED: Motion for Extension of Time to File Transcripts (Lisa Bradley)
24. 10-Aug-2015 ORDERED: Motion for Extension of Time to File Transcripts (Lisa Bradley) = GRANTED. Due Dates EXTENDED to 09/09/2015 for Transcripts dated 09/09/2014, 09/23/2014 or OSC 09/16/15. Hon Samuel A Thumma - Author
25. 12-Aug-2015 FILED: Reporter's Transcript - 08/07/2014 - Trial Management Conference (Patricia Kotarba)
26. 12-Aug-2015 FILED: Motion for Extension of Time to File Transcripts (Crystal Hereford)
27. 13-Aug-2015 FILED: Motion for Extension of Time to File Transcripts (Laura Ashbrook)
28. 14-Aug-2015 FILED: Reporter's Transcript - 10-6-2014 - Trial (Wanda Bauer)
29. 16-Aug-2015 FILED: Reporter's Transcript - 4-18-14 (Wanda Bauer)
30. 17-Aug-2015 FILED: Reporter's Transcript - 8/28/14 - Motions Hearing (Kristen Brown)
31. 17-Aug-2015 FILED: Letter, 8/15/15, from Appellant to Court requesting copies
32. 18-Aug-2015 ORDERED: Motion for Extension of Time to File Transcripts (Crystal Hereford) = GRANTED. Due Dates EXTENDED to 09/17/2015 for Transcripts dated 09/30/2014, 11/13/2014 or OSC 10/07/15. Hon Samuel A Thumma - Author
33. 18-Aug-2015 ORDERED: Motion for Extension of Time to File Transcripts (Laura Ashbrook) = GRANTED/Transcript dated 04/02/14 due date EXTENDED from Wednesday, 08-19-2015 to Monday, 09-21-2015 or OSC 10/07/15. Hon Samuel A Thumma - Author
34. 19-Aug-2015 FILED: Reporters Transcript 09/09/2014 (Lisa Bradley)
35. 19-Aug-2015 FILED: Reporters Transcript 09/23/2014 (Lisa Bradley)

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36. 20-Aug-2015 FILED: Letter, 8/20/15, from Court to Appellant, enclosing copy of docket
37. 20-Aug-2015 FILED: Request for Extension of Time for Filing Transcripts (Karen Dawson)
38. 31-Aug-2015 ORDERED: Request for Extension of Time for Filing Transcripts (Karen Dawson) = GRANTED. Due Dates EXTENDED to 09/30/2015 for Transcripts dated 09/04/2014, 09/10/2014, 09/11/2014, 10/01/2014, 10/02/2014, 10/07/2014, 09/03/2014, 03/06/2015 or OSC on 10/07/2015. Hon Samuel A Thumma - Author
39. 7-Sep-2015 FILED: Reporter's Transcript - 09/16/2014 - Trial (April Hunt)
40. 9-Sep-2015 FILED: Reporter's Transcripts - 09/16/2014 - Trial - Day 6 - PM (April Escobedo)
41. 17-Sep-2015 FILED: Reporter's Transcript 11/13/14 Oral Argument/Motions Hearing - All (Crystal Hereford)
42. 21-Sep-2015 FILED: Reporter's Transcript - 9/30/14 - (Crystal Hereford)
43. 22-Sep-2015 FILED: Untitled Affidavit re: Court Reporter not Present (Laura Ashbrook)
44. 1-Oct-2015 FILED: Reporter's Transcript-4/2/14-Trial Continuance (Laura Ashbrook)
45. 1-Oct-2015 ORDERED: Court Reporter Carrie Newman to appear for OSC on 10/21/2015 for transcript dated 04/04/2014. Hon Samuel A Thumma - Author
46. 1-Oct-2015 FILED: Request for Extension of Time for Filing Transcripts (Karen Dawson)
47. 15-Oct-2015 ORDERED: Request for Extension of Time for Filing Transcripts (Karen Dawson) = GRANTED. Due Dates EXTENDED to 11/02/2015 for Transcripts dated 09/04/2014, 09/10/2014, 09/11/2014, 10/01/2014, 10/02/2014, 10/07/2014, 09/03/2014, 03/06/2015 or OSC on 11/04/2015 Hon Samuel A Thumma - Author
48. 16-Oct-2015 FILED: Reporter's Transcript - 04/04/14 -(Carrie Newman)
49. 3-Nov-2015 FILED: Request for Extension of Time for Filing Transcripts (Karen Dawson)
50. 5-Nov-2015 ORDERED: Request for Extension of Time for Filing Transcripts (Karen Dawson) = GRANTED. Due Dates EXTENDED to 11/30/2015 for Transcripts dated 09/04/2014, 09/10/2014, 09/11/2014, 10/01/2014, 10/02/2014, 10/07/2014, 09/03/2014, 03/06/2015 or OSC on 12/02/2015. FURTHER ORDERED: If the above transcripts are not filed by 11/30/2015 a monetary sanction shall be imposed on Karen Dawson in the amount of \$100 per day beginning 12/01/2015 until transcripts are filed. Hon Samuel A Thumma - Author
51. 1-Dec-2015 FILED: Request for Extension of Time for Filing Transcripts (Karen Dawson)
52. 1-Dec-2015 ORDERED: Denying that request. FURTHER ORDERED: Court Reporter Karen Dawson shall appear for the Order to Show Cause Hearing held on December 2, 2015 in Courtroom 1 at 2:30 p.m. Hon Samuel A Thumma - Author
53. 3-Dec-2015 ORDERED: Request for Extension of Time for Filing Transcripts (Karen Dawson) = GRANTED. ORDERED: Court Reporter Karen Dawson transcripts dated 09/03/14, 09/04/14 due 12/04/15 no later than 3:00 pm. FURTHER ORDERED: Court Reporter Karen Dawson transcript dated 09/10/14 due 12/07/15 no later than 5:00 pm. FURTHER ORDERED: Court Reporter Karen Dawson transcripts dated 09/11/14, 10/01/14, 10/02/14 due 12/11/15 no later than 5:00 pm. FURTHER ORDERED: Court Reporter Karen Dawson transcript dated 10/07/14 due 12/16/15 no later than 5:00 pm. FURTHER ORDERED: Beginning 12/08/15, if Court Reporter Karen Dawson fails to meet any deadlines for turning in transcripts, a monetary sanction shall be imposed in the amount of \$125 per day, until all transcripts have been filed. Hon Samuel A Thumma - Author
54. 4-Dec-2015 FILED: Reporters Transcript (09/03/14, 09/04/14) [Karen Dawson]
55. 8-Dec-2015 FILED: Reporters Transcript (09/10/14 [Karen Dawson])
56. 14-Dec-2015 FILED: Reporters Transcript (09/11/14 [Karen Dawson])
57. 16-Dec-2015 FILED: Reporters Transcript (10/07/14 [Karen Dawson])
58. 16-Dec-2015 FILED: Reporters Transcript (10/01/14 [Karen Dawson])
59. 16-Dec-2015 FILED: Reporters Transcript (03/06/15 [Karen Dawson])
60. 5-Jan-2016 FILED: Reporters Transcript (10/02/14 [Karen Dawson])

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61. 7-Jan-2016 ORDERED: Monetary sanction imposed on Karen Dawson in amount of \$375 due by 01/22/2016. Hon Samuel A Thumma - Author
62. 20-Jan-2016 FILED: Notice of Completion of Record
63. 22-Jan-2016 RECEIPT No.: 2016-00076 ; \$375.00, Authorization: R205949344986, Applied to: Karen Dawson - \$100 Sanction (\$300.00), \$25 Sanction (\$75.00) Paid for: Karen Dawson - By Karen Dawson
64. 25-Jan-2016 VOID RECEIPT No.: 2016-00076 - \$-375.00, Authorization: R205949344986, - Applied to: Karen Dawson - \$100 Sanction (\$-300.00), \$25 Sanction (\$-75.00) Paid for: Karen Dawson - By: Karen Dawson VOID Reason: void receipt money order was made to another Court. alc
65. 27-Jan-2016 RECEIPT No.: 2016-00097 ; \$375.00, Authorization: #20594934498, Applied to: Karen Dawson - \$100 Sanction (\$300.00), \$25 Sanction (\$75.00) Paid for: - By Karen Dawson
66. 28-Jan-2016 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
67. 1-Feb-2016 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED/Appointing Matthew Brown 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, 03-07-2016 to Thursday, 03-17-2016. Anthony Mackey ProTem Judge - Author
68. 17-Mar-2016 ORDERED: Opening Brief due date EXTENDED from Thursday, 03-17-2016 to Monday, 04-18-2016. Fred Cole ProTem Judge - Author
69. 18-Apr-2016 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
70. 19-Apr-2016 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED/ Due date EXTENDED from Monday, 04-18-2016 to Wednesday, 05-18-2016. Anthony Mackey ProTem Judge - Author
71. 18-May-2016 FILED: Motion to Extend Time to File Opening Brief; Certificate of Service (Appellant)
72. 20-May-2016 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
73. 23-May-2016 ORDERED: Motion to Extend Time to File Opening Brief (Appellant) = GRANTED/Accepting the opening brief as filed. Anthony Mackey ProTem Judge - Author
74. 22-Jun-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
75. 5-Jul-2016 ORDERED: Answering Brief due date EXTENDED from Tuesday, 07-05-2016 to Thursday, 08-04-2016. Fred Cole ProTem Judge - Author
76. 29-Jul-2016 FILED: Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
77. 1-Aug-2016 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED/Due date EXTENDED from Thursday, 08-04-2016 to Tuesday, 09-06-2016. Anthony Mackey ProTem Judge - Author
78. 23-Aug-2016 FILED: Reporters Transcript (03/06/15 [Karen Dawson])
79. 30-Aug-2016 FILED: Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
80. 31-Aug-2016 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED/Due date EXTENDED from Tuesday, 09-06-2016 to Thursday, 10-06-2016. Anthony Mackey ProTem Judge - Author
81. 4-Oct-2016 FILED: Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
82. 5-Oct-2016 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED/Due date EXTENDED from Thursday, 10-06-2016 to Friday, 10-14-2016. Anthony Mackey ProTem Judge - Author
83. 13-Oct-2016 FILED: Motion to Exceed Word Limit; Certificate of Service (Appellee)
84. 13-Oct-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
85. 17-Oct-2016 ORDERED: Motion to Exceed Word Limit (Appellee) = GRANTED/Directing the Clerk of this Court to file the tendered brief. Anthony Mackey ProTem Judge - Author
86. 26-Oct-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days

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87. 1-Nov-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcripts filed directly with COA1 previously)
88. 2-Nov-2016 FILED: Motion for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
89. 3-Nov-2016 ORDERED: Motion for Extension of Time to File Reply Brief (Appellant) = GRANTED/Due date EXTENDED from Monday, 11-07-2016 to Monday, 11-28-2016. Anthony Mackey ProTem Judge - Author
90. 28-Nov-2016 CLNDR: CONFERENCE, Department B, 1-17-17, COURTROOM 2.