Court of Appeals, Division One

Criminal

1 CA-CR 15-0418 — STATE v. ARAIZA

Appellate Case Information

Case Filed: 23-Jun-2015

Case Closed:

Dept/Composition

Department A

Hon. Kenton D Jones
Hon. Randall M Howe
Hon. Donn Kessler

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**

Attorneys for: Appellee

Jillian Francis, Esq. (AZ Bar No. 30117)

Side 2. MARGARITO C ARAIZA, Appellant

(Litigant Group) MARGARITO C ARAIZA

- **Margarito C Araiza**

Attorneys for: Appellant

Natalee E Segal, Esq. (AZ Bar No. 16775)

CASE STATUS

Jan 12, 2017....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CR2013-001129-001	See File	See File	Roland J Steinle, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-17-0028-PR

2 OPEN DUE DATES

Motion for Reconsideration due — **Due By:** Wednesday, February 1, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Donn Kessler - Author; Hon Kenton D Jones - Concur; Hon Randall M Howe - Concur

Petition for Review to ASC due — **Due By:** Wednesday, March 29, 2017 [2 extensions]

Re: MEMORANDUM DECISION (Affirmed) Hon Donn Kessler - Author; Hon Kenton D Jones - Concur; Hon Randall M Howe - Concur

CASE DECISION

12-Jan-2017 MEMORANDUM DECISION

Donn Kessler.....Author
Kenton Jones.....Concur
Randall Howe.....Concur

Filed: **12-Jan-2017** Mandate:

Decision Disposition
Affirmed

57 PROCEEDING ENTRIES

1.	23-Jun-2015	FILED: Notice of Appeal from Maricopa County Superior Court filed 06/15/15. Notification sent to Court Reporters dated 06/22/2015
2.	25-Jun-2015	ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: All transcripts in case due 7/24/15 [SIC]. Anthony Mackey ProTem Judge - Author (Amended per order dated 6/29/15)
3.	29-Jun-2015	AMENDED ORDER: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: All transcripts in case due 8/10/15. Anthony Mackey ProTem Judge - Author
4.	29-Jul-2015	FILED: Additional Record on Appeal Exhibits: Hearing Date 03/11/15 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 16 17 21 In Manila Envelope. Confidential Criminal History Addendum In Sealed Manila Envelope.

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

57 PROCEEDING ENTRIES

5.	29-Jul-2015	FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: None
6.	30-Jul-2015	FILED: Reporter's Transcripts - 03/18/15 - (Jane Westlund)
7.	5-Aug-2015	FILED: Reporter's Transcript - 03/16/2015 - (Renee Mobley)
8.	5-Aug-2015	FILED: Motion for Extension of Time to File Transcripts (Lisa Bradley)
9.	5-Aug-2015	FILED: Letter, 8/2/15, from Appellant to Court re: Status; counsel
10.	9-Aug-2015	FILED: Motion for Extension of Time to File Transcripts (Janell Rose)
11.	10-Aug-2015	ORDERED: Motion for Extension of Time to File Transcripts (Lisa Bradley) = GRANTED. Due date EXTENDED from Monday, 08-10-2015 to Wednesday, 09-09-2015 or OSC 09/16/15. Hon Samuel A Thumma - Author
12.	10-Aug-2015	ORDERED: Motion for Extension of Time to File Transcripts (Janell Rose) = GRANTED. Transcript dated 03/12/15 due dates EXTENDED to 09/09/2015 for Transcripts dated 03/11/2015, 03/12/2015, 03/16/2015, 03/17/2015, 03/18/2015, 03/19/2015, 03/23/2015, 03/24/2015, 06/15/2015 or OSC 09/16/15. Hon Samuel A Thumma - Author
13.	14-Aug-2015	FILED: Letter, 8/14/15, from Court to Appellant, enclosing copy of docket
14.	19-Aug-2015	FILED: Reporters Transcript 03/12/2015 (Lisa Bradley)
15.	28-Aug-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
16.	8-Sep-2015	FILED: Motion for Extension of Time to File Transcripts (Janell Rose)
17.	14-Sep-2015	ORDERED: Court Reporter Janell Rose due Dates EXTENDED to 10/14/2015 for Transcripts dated 03/11/2015, 03/12/2015, 03/16/2015, 03/17/2015, 03/18/2015, 03/19/2015, 03/23/2015, 03/24/2015, 06/15/2015 or OSC on 10/21/2015. Hon Samuel A Thumma - Author
18.	15-Sep-2015	FILED: Motion for Extension of Time to File Transcripts (Janell Rose)
19.	17-Sep-2015	FILED: Motion for Order to Unseal Trial Transcript; Certificate of Service (Appellant)
20.	30-Sep-2015	ORDERED: Motion for Order to Unseal Trial Transcript (Appellant) = GRANTED/Unsealing the court reporter notes of the proceedings held on May 15, 2015, before the Honorable Roland J. Steinle, from 10:03 a.m. until 10:06 a.m., to permit court reporter Janell Rose to prepare an original and two copies of the transcript designated above, and to furnish one copy to appellant's counsel, one copy to appellee's counsel, and the sealed original to the Clerk of this court no later than October 19, 2015, marked for filing in this court's case No. CR 15-0298. Anthony Mackey ProTem Judge - Author
21.	12-Oct-2015	FILED: Motion for Extension (of Time to File Transcripts) (Janell Rose)
22.	15-Oct-2015	ORDERED: Motion for Extension (of Time to File Transcripts) (Janell Rose) = GRANTED. Due Dates EXTENDED to 11/16/2015 for Transcripts dated 03/11/2015, 03/12/2015, 03/16/2015, 03/17/2015, 03/18/2015, 03/19/2015, 03/23/2015, 03/24/2015, 06/15/2015 or OSC on 11/18/2015. FURTHER ORDERED: If transcripts are not filed by 11/16/2015 a monetary sanction shalle be imposed in the amount of $75 per day beginning 11/17/2015. Hon Samuel A Thumma - Author
23.	19-Oct-2015	FILED: Reporter's Transcript - 12/6/2013 - (Jennifer Pancratz)
24.	16-Nov-2015	FILED: Reporter's Transcript of Proceedings - 03/18/2015 - (Janell Rose)
25.	16-Nov-2015	FILED: Reporter's Transcript of Proceedings - 03/24/2015 - (Janell Rose)
26.	16-Nov-2015	FILED: Reporters Transcript - 06/15/2015 - (Janell Rose)
27.	16-Nov-2015	FILED: Reporter's Transcript of Proceedings - 03/11/2011 - (Janell Rose)
28.	16-Nov-2015	FILED: Reporters Transcript - 03/12/2015 - (Janell Rose)

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57 PROCEEDING ENTRIES

29.	16-Nov-2015	FILED: Reporters Transcript - 03/16/2015 - (Janell Rose)
30.	16-Nov-2015	FILED: Reporters Transcript - 03/17/2015 - (Janell Rose)
31.	16-Nov-2015	FILED: Reporter's Transcript of Proceedings - Trial - 3/19/2015 - (Janell Rose)
32.	17-Nov-2015	FILED: Reporters Transcript - 03/23/2015 - (Janell Rose)
33.	20-Nov-2015	FILED: Notice of Completion of Record
34.	4-Dec-2015	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
35.	8-Dec-2015	ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing Natalee Segal 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, 01-04-2016 to Friday, 01-22-2016. Anthony Mackey ProTem Judge - Author
36.	25-Jan-2016	ORDERED: Opening Brief due date EXTENDED from Friday, 01-22-2016 to Monday, 02-22-2016. Fred Cole ProTem Judge - Author
37.	21-Feb-2016	FILED: Motion to Expand the Record and Continue Time for Filing Opening Brief; Certificate of Service (Appellant)
38.	29-Feb-2016	ORDERED: Motion to Expand the Record (Appellant) = GRANTED/Unsealing court reporter Janelle Rose notes of the proceedings held on 05/15/15. Transcript due 03/30/2016. FURTHER ORDERED: Unsealing court reporter Marylynn LeMoine notes of the proceedings held on 04/24/15. Transcript due 03/30/2016. FURTHER ORDERED: Continue Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-22-2016 to Friday, 04-29-2016. Anthony Mackey ProTem Judge - Author
39.	2-Mar-2016	FILED: Reporters Transcript - 05/15/2015 - (Janell Rose)
40.	11-Mar-2016	FILED: Affidavit - 4/24/15 - Trial - (Marylynn LeMoine); Corrected Minute Entry
41.	24-Apr-2016	FILED: Reporter's Transcript of Proceedings: 05/15/2015 Status Conference (Janell Rose) (Duplicate)
42.	26-Apr-2016	FILED: Motion to Extend Time, Opening Brief; Certificate of Service (Appellant)
43.	28-Apr-2016	ORDERED: Motion to Extend Time, Opening Brief (Appellant) = GRANTED/Due date EXTENDED from Friday, 04-29-2016 to Tuesday, 05-31-2016. Anthony Mackey ProTem Judge - Author
44.	31-May-2016	FILED: Opening Brief; Opening Brief Certificate of Compliance; Opening Brief Certificate of Mailing (Appellant)
45.	9-Jun-2016	FILED: Notice of Appearance; Certificate of Service (Appellee)
46.	19-Jul-2016	ORDERED: Answering Brief due date EXTENDED from Monday, 07-18-2016 to Wednesday, 08-17-2016. Fred Cole ProTem Judge - Author
47.	17-Aug-2016	FILED: Motion for Extension of Time to File Answering Brief (Second Request/Unopposed); Certificate of Service (Appellee)
48.	19-Aug-2016	ORDERED: Motion for Extension of Time to File Answering Brief (Second Request/Unopposed) (Appellee) = GRANTED/Due date EXTENDED from Wednesday, 08-17-2016 to Monday, 09-19-2016. Anthony Mackey ProTem Judge - Author
49.	19-Sep-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
50.	30-Sep-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
51.	10-Oct-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
52.	17-Oct-2016	FILED: Reply; Certificate of Compliance Reply; Certificate of Mailing Reply (Appellant)
53.	28-Oct-2016	CLNDR: CONFERENCE, Department A, 12-20-16, COURTROOM 2.
54.	12-Jan-2017	MEMORANDUM DECISION (Affirmed) Hon Donn Kessler - Author; Hon Kenton D Jones - Concur; Hon Randall M Howe - Concu
55.	12-Jan-2017	FILED: Memorandum Decision Distribution List

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57 PROCEEDING ENTRIES

56.	17-Jan-2017	FILED: ASC Order filed 01/17/2017 re: extending time for filing Petition for Review to 02/27/2017
57.	2-Feb-2017	FILED: ASC Order filed 02/02/2017 re: extending time for filing petition for review to 03/29/2017

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