Court of Appeals, Division One

Criminal

1 CA-CR 15-0561 — STATE v. MUELLER

Appellate Case Information

Case Filed: 26-Aug-2015

Case Closed:

Dept/Composition

Department B

Hon. Samuel A Thumma
Hon. Margaret H Downie
Hon. Patricia A Orozco

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**

Attorneys for: Appellee

Linley Wilson, Esq. (AZ Bar No. 27040)

Side 2. CYNTHIA JANE MUELLER, Appellant

(Litigant Group) CYNTHIA JANE MUELLER

- **Cynthia Jane Mueller**

Attorneys for: Appellant

Craig Williams, Esq. (AZ Bar No. 14929)

CASE STATUS

Jan 12, 2017....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV	P1300CR201300376	Conspiracy to commit First degree Murder, Class 1; First Degree Premeditated Murder, Class 1; Fraudulent Schemes and Artifices, Class 2; Unlawful use of power of attorney to deprive of assets or property, Class 2	Natural Life with the possibility of parole after 25 years; Natural Life without the possibility of parole;5 Years; 5 Years	Jennifer B Campbell, Sentencing	JURY	

2 OPEN DUE DATES

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

Re: MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Patricia A Orozco - Concur

Petition for Review to ASC due — **Due By:** Thursday, February 16, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Patricia A Orozco - Concur

CASE DECISION

12-Jan-2017 MEMORANDUM DECISION

Samuel Thumma.....Author
Margaret Downie.....Concur
Patricia Orozco.....Concur

Filed: **12-Jan-2017**

Mandate:

Decision Disposition
Affirmed

39 PROCEEDING ENTRIES

1. 26-Aug-2015 FILED: Notice of Appeal from Yavapai County Superior Court filed 08/19/15. Notification sent to Court Reporters dated 08/24/2015.

2. 26-Aug-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits:
Hearing Date 05/28/2015 - 1 2 29
Hearing Date 05/27/2015 - 3 4 5 6 7 8 9 10 11 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 31 35 37 38 39 40 41 42 43 45 46 47 48 49 50 60 61 62 63 64
Hearing Date 06/05/2015 - 12
Hearing Date 05/21/2015 - 32 36 51 52 53 54 55 56 57 58 59 69 70
Hearing Date 05/29/2015 - 74

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

39 PROCEEDING ENTRIES

3.	28-Aug-2015	ORDERED: Appointing Yavapai County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 10/12/2015. Anthony Mackey ProTem Judge - Author
4.	3-Sep-2015	FILED: Notice of Substitution of Counsel; Certificate of Service (Appellant)
5.	9-Sep-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
6.	22-Sep-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
7.	29-Sep-2015	FILED: Reporters Transcript 08/19/2015 (Debra Upham)
8.	6-Oct-2015	FILED: Untitled Letter from Court Reporter re: Requesting Extension of Time to File Transcripts (Heidi Anderson)
9.	8-Oct-2015	ORDERED: Untitled Letter from Court Reporter re: Requesting Extension of Time to File Transcripts (Heidi Anderson) = GRANTED. Due Dates EXTENDED to 11/12/2015 for Transcripts dated 05/20/2015, 05/21/2015, 05/27/2015, 05/28/2015, 05/29/2015, 06/03/2015, 06/05/2015, 06/10/2015, 06/11/2015 or OSC on 11/18/2015. Hon Samuel A Thumma - Author
10.	23-Oct-2015	FILED: Reporters Transcript (05/20/15, 05/21/15, 06/11/15) [Heidi L Anderson]
11.	2-Nov-2015	FILED: Reporters Transcript (05/27/15 [Heidi L Anderson])
12.	2-Nov-2015	FILED: Reporters Transcript (06/10/15 [Heidi L Anderson])
13.	2-Nov-2015	FILED: Reporters Transcript (06/03/15 [Heidi L Anderson])
14.	2-Nov-2015	FILED: Reporters Transcript (05/29/15 [Heidi L Anderson])
15.	9-Nov-2015	FILED: Request to Expand Record and Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
16.	10-Nov-2015	FILED: Reporters Transcript - 05-28-15 - (Heidi L Anderson)
17.	10-Nov-2015	FILED: Reporters Transcript - 06-05-15 - (Heidi L Anderson)
18.	24-Dec-2015	ORDERED: Request to Expand Record (Appellant) = GRANTED/Court Reporters Heidi Callahan and Robin Osterode transcripts due 01/27/2016. Anthony Mackey ProTem Judge - Author
19.	21-Jan-2016	FILED: Reporters Transcript - 12/10/14 - (Robin Osterode)
20.	25-Jan-2016	FILED: Reporters Transcript - 07/28/2014 - (Heidi Callahan)
21.	26-Jan-2016	FILED: Notice of Completion of Record
22.	3-Feb-2016	FILED: Request to Expand Record and Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
23.	29-Feb-2016	ORDERED: Request to Expand Record (Appellant) = GRANTED/Transcripts due 03/30/16. FURTHER ORDERED: Request for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 03-11-2016 to Friday, 04-29-2016.
24.	22-Mar-2016	FILED: Reporters Transcript (05/20/15, 05/21/15, 06/10/15) [Heidi L Anderson]
25.	29-Apr-2016	FILED: Appellant's Opening Brief; Certificate of Compliance with Rule 31.13(b), ARCP; Certificate of Service (Appellant)
26.	6-May-2016	FILED: Notice of Appearance; Certificate of Service (Appellee)
27.	14-Jun-2016	ORDERED: Answering Brief due date EXTENDED from Monday, 06-13-2016 to Wednesday, 07-13-2016. Fred Cole ProTem Judge - Author
28.	13-Jul-2016	FILED: Motion for Extension of Time to File Answering Brief (Second Request); Certificate of Service (Appellee)
29.	14-Jul-2016	ORDERED: Motion for Extension of Time to File Answering Brief (Second Request) (Appellee) = GRANTED/Due date EXTENDED from Wednesday, 07-13-2016 to Friday, 08-12-2016. Anthony Mackey ProTem Judge - Author
30.	12-Aug-2016	FILED: Motion for Extension of Time to File Answering Brief (Third and Final Request); Certificate of Service (Appellee)

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39 PROCEEDING ENTRIES

31.	16-Aug-2016	ORDERED: Motion for Extension of Time to File Answering Brief (Third and Final Request) (Appellee) = GRANTED/Due date EXTENDED from Friday, 08-12-2016 to Monday, 09-12-2016 or OSC 09/21/2016. Anthony Mackey ProTem Judge - Author
32.	12-Sep-2016	FILED: Motion to Exceed Word Count Limit of Answering Brief; Certificate of Service (Appellee)
33.	12-Sep-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
34.	20-Sep-2016	ORDERED: Motion to Exceed Word Count Limit of Answering Brief (Appellee) = GRANTED/Directing the Clerk of this Court to file the tendered brief. Anthony Mackey ProTem Judge - Author
35.	7-Oct-2016	FILED: Appellant's Reply Brief; Certification of Compliance with Rule 31.13(b), ARCP; Certificate of Service (Appellant)
36.	28-Oct-2016	CLNDR: CONFERENCE, Department B, 12-13-16, COURTROOM 1.
37.	2-Nov-2016	FILED: Memorandum: Judge Orozco for Judge Campbell (Chief Judge Brown)
38.	12-Jan-2017	MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Patricia A Orozco - Concur
39.	12-Jan-2017	FILED: Memorandum Decision Distribution List

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