

Court of Appeals, Division One
Criminal

1 CA-CR 15-0838

STATE v. HOLGUIN

Appellate Case Information

Case Filed: 22-Dec-2015
Case Closed:

Dept/Composition

Department B
Hon. Samuel A Thumma
Hon. Margaret H Downie
Hon. Jennifer B Campbell

Consolidated with: 1 CA-CR 16-0091

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Myles A Braccio, Esq. (AZ Bar No. 27332)

Side 2. HENRY SIMON HOLGUIN, Appellant

(Litigant Group) HENRY SIMON HOLGUIN

- Henry Simon Holguin

Attorneys for: Appellant

Joel M Glynn, Esq. (AZ Bar No. 3408)

CASE STATUS

Dec 20, 2016....**Decision Rendered**

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2015-119474-001	Unlawful Flight from Law Enforcement Vehicle, Class 5; Threatening or Intimidating, Class 1 Misdemeanor	6 Years; 180 Days Jail	Christopher A Coury, Sentencing	JURY	

2 OPEN DUE DATES

Motion for Reconsideration due **Due By:** Monday, January 9, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Jennifer B Campbell - Concur

Petition for Review to ASC due **Due By:** Tuesday, January 24, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Jennifer B Campbell - Concur

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR
13-Dec-2016 Department B; COURTROOM 1

CASE DECISION

20-Dec-2016 **MEMORANDUM DECISION**

Samuel Thumma.....Author
Margaret Downie.....Concur
Jennifer Campbell.....Concur

Filed: **20-Dec-2016** Mandate:

Decision Disposition

Affirmed

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-CR 16-0091 STATE v. HOLGUIN

32 PROCEEDING ENTRIES

- 22-Dec-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 11/24/15. Notification sent to Court Reporters dated 12/18/2015. Includes Designation of Record
- 5-Jan-2016 FILED: Reporters Transcript - 09/17/2015 - (Vanessa Melstrom)

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32 PROCEEDING ENTRIES

3. 8-Jan-2016 FILED: Reporters Transcript - 09/04/2015 - (Barbara Stockford)
4. 11-Jan-2016 FILED: Reporters Transcript - 09/21/2015 - (Robin Bobbie)
5. 11-Jan-2016 FILED: Reporters Transcript - 09/24/2015 - (Robin Bobbie)
6. 11-Jan-2016 FILED: Reporters Transcript - 11/23/2015 - (Robin Bobbie)
7. 11-Jan-2016 FILED: Reporters Transcript - 09/15/2015 - (Robin Bobbie)
8. 11-Jan-2016 FILED: Reporters Transcript - 09/16/2015 - (Robin Bobbie)
9. 20-Jan-2016 FILED: Reporters Transcript - 05/06/2015 - (Janice Penfield)
10. 27-Jan-2016 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 06/09/2015 List # 1 2 3 4 in a manila envelope
Hearing Date 09/04/2015 List # 1 in a manila envelope
Hearing Date 09/16/2015 List # 2 3 8 9 10 12 13 in a manila envelope
11. 27-Jan-2016 FILED:e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None Sent with e-Record
12. 4-Feb-2016 ORDERED: Court Reporter Jeanne Kappedal transcript dated 08/10/15 past due. OSC set for 02/17/16. Hon Samuel A Thumma - Author
13. 7-Feb-2016 FILED: Reporters Transcript - 08/10/2015 - (Jeanne Kappedal)
14. 8-Feb-2016 FILED: Notice of Completion of Record (VACATED per order dated 02/24/16)
15. 12-Feb-2016 FILED: Notice of Appearance; Certificate of Service (Appellant)
16. 24-Feb-2016 ORDERED: Consolidating cases 1 CA-CR 15-0838 and 1 CA-CR 16-0091. Case No. 1 CA-CR 15-0838 is designated the primary number. FURTHER ORDERED: Vacating the notice of completion issue in 1 CA-CR 15-0838 on 02/08/16, and the Opening Brief due date of 03/24/16. FURTHER ORDERED: Directing the Clerk of this Court to reissue a notice of completion when the record in 1 CA-CR 16-0091 is complete. Anthony Mackey ProTem Judge - Author
17. 4-Apr-2016 FILED: Notice of Completion of Record
18. 27-Apr-2016 FILED: Motion to Extend Time (Appellant)
19. 3-May-2016 ORDERED: Motion to Extend Time (Appellant) = DENIED. FURTHER ORDERED: This order to be sent to appellant personally. Anthony Mackey ProTem Judge - Author
20. 20-May-2016 ORDERED: Opening Brief due date EXTENDED from Thursday, 05-19-2016 to Monday, 06-20-2016. Fred Cole ProTem Judge - Author
21. 20-Jun-2016 FILED: Appellant's Opening Brief; Certification of Compliance with Rule 31.13(b), ARCP; Certificate of Service (Appellant)
22. 22-Jun-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
23. 9-Aug-2016 ORDERED: Answering Brief due date EXTENDED from Monday, 08-08-2016 to Wednesday, 09-07-2016. Fred Cole ProTem Judge - Author
24. 7-Sep-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
25. 29-Sep-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
26. 4-Oct-2016 ORDERED: Reply Brief due date EXTENDED from Monday, 10-03-2016 to Monday, 10-24-2016. Fred Cole ProTem Judge - Author
27. 10-Oct-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcript filed directly with COA1 previously and Designation of Record for Appeal filed on 02/16/2016)
28. 24-Oct-2016 FILED: Appellant's Reply Brief; Certification of Compliance with Rule 31.13(b), ARCP; Certificate of Service (Appellant)
29. 28-Oct-2016 CLNDR: CONFERENCE, Department B, 12-13-16, COURTROOM 1.

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32 PROCEEDING ENTRIES

30. 2-Nov-2016 FILED: Memorandum, 11/2/16, Judge Campbell for Judge Norris (Judge Norris)
31. 20-Dec-2016 MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Margaret H Downie - Concur; Hon Jennifer B Campbell - Concur
32. 20-Dec-2016 FILED: Memorandum Decision Distribution List