

Court of Appeals, Division One
Criminal

1 CA-CR 16-0059

STATE v. BARNES

Appellate Case Information Case Filed: 2-Feb-2016 Case Closed:	Dept/Composition
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Side 1. STATE OF ARIZONA, Appellee
(Litigant Group) STATE OF ARIZONA

● State of Arizona

Attorneys for: Appellee
Jana Zinman, Esq. (AZ Bar No. 24019)

Side 2. DAMIEN BARNES, Appellant
(Litigant Group) DAMIEN BARNES

● Damien Barnes

Attorneys for: Appellant
Terry Reid, Esq. (AZ Bar No. 20643)

CASE STATUS

Oct 26, 2016.....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2015-001963-001	Burglary in the Third Degree, Class 4; Possession or Use of Marijuana, Class 1 Misdemeanor	10 Years; 1 Month Jail	Michael D Gordon, Sentencing	JURY	

39 PROCEEDING ENTRIES

1. 2-Feb-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 01/25/16. Notification sent to Court Reporters dated 1/29/2016. Includes Designation of Record
2. 11-Feb-2016 FILED: Reporters Transcript - 09/17/2015 - (Jane Westlund)
3. 2-Mar-2016 FILED: Motion for Extension of Time - (Jennifer Pancratz)
4. 3-Mar-2016 ORDERED: Motion for Extension of Time - Jennifer Pancratz = GRANTED/ Due dates EXTENDED to 04/04/2016 for transcripts dated 08/26/2015, 08/27/2015, 08/31/2015, 09/01/2015, 09/02/2015, 09/10/2015, 09/21/2015, 12/04/2015, 01/04/2016 or OSC 04/06/2016. Hon Samuel A Thumma - Author
5. 8-Mar-2016 FILED: Reporters Transcript - 06/25/2015 - (Linda Lopez)
6. 9-Mar-2016 FILED:e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: None Sent with e-Record
7. 10-Mar-2016 FILED: Reporters Transcript - 08/27/2015 - (Dalia Ambriz)
8. 22-Mar-2016 FILED: Reporter's Transcript - 11/4/15 - Change of Plea (Gail E. Ferguson)
9. 30-Mar-2016 FILED: Reporter's Transcript - 08/26/15 - Trial Day 1 (Jennifer Pancratz)
10. 30-Mar-2016 FILED: Reporter's Transcript - 08/27/15 - Trial Day 2 (Jennifer Pancratz)
11. 30-Mar-2016 FILED: Reporter's Transcript - 08/31/15 - Trial Day 3 (Jennifer Pancratz)
12. 31-Mar-2016 ORDERED: Court Reporter Antoinette Salazar shall appear in Courtroom 1 on 4/20/16 at 2:30 to show cause why she should not be held in civil contempt and fined and/or sanctioned until transcript of 6/3/15 is filed. Hon Samuel A Thumma - Author
13. 1-Apr-2016 FILED: Reporter's Transcript - 06/03/15 - Status Conference (Antoinette Salazar)
14. 3-Apr-2016 FILED: Reporter's Transcript - 09/10/15 - Status Conference (Jennifer Pancratz)
15. 3-Apr-2016 FILED: Reporter's Transcript - 12/04/15 - Sentencing Continued (Jennifer Pancratz)

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16. 3-Apr-2016 FILED: Reporter's Transcript - 09/01/15 - Trial (Jennifer Pancratz)
17. 3-Apr-2016 FILED: Reporter's Transcript - 09/02/15 - Trial (Jennifer Pancratz)
18. 3-Apr-2016 FILED: Reporter's Transcript - 09/21/15 - Motions/Change of Plea (Jennifer Pancratz)
19. 3-Apr-2016 FILED: Reporter's Transcript - 01/04/16 - Sentencing (Jennifer Pancratz)
20. 4-Apr-2016 FILED: Notice of Completion of Record
21. 7-Apr-2016 FILED: Notice of Appearance; Certificate of Service (Appellant)
22. 19-Apr-2016 FILED: Motion to Consolidate; Certificate of Service (Appellant)
23. 26-Apr-2016 ORDERED: Motion to Consolidate (Appellant) = GRANTED/ Consolidating cases 1 CA-CR 16-0043 and 1 CA-CR 16-0059. 1 CA-CR 16-0043 is designated the primary number. Anthony Mackey ProTem Judge - Author
24. 9-May-2016 ORDERED: Motion to Stay Appeal (Appellant) = GRANTED/Staying this appeal to/including 06/09/2016 and revesting jurisdiction in the Superior Court of Maricopa County for the purpose of permitting the trial court and parties to locate or reconstruct the record to include a letter written by appellant's mother re: sentencing. FURTHER ORDERED: Superior Court shall rule on and settle the record in furtherance of this appeal. FURTHER ORDERED: Superior Court shall transmit certified copy of letter within five days after entry in this court's case number 1 CA-CR 16-0043 due 06/10/2016. FURTHER ORDERED: Appeal shall be automatically reinstated on 06/10/2016. FURTHER ORDERED: Motion to Extend Opening Brief = GRANTED/Due date EXTENDED from Thursday, 05-19-2016 to Friday, 07-08-2016. Anthony Mackey ProTem Judge - Author
25. 9-May-2016 ORDERED: Motion to Extend Time to File Opening Brief; Motion to Supplement Appellate Record with Additional Transcript (Appellant) = GRANTED/Transcript due 06/06/2016. FURTHER ORDERED: Opening Brief due date EXTENDED to 07/08/2016. Anthony Mackey ProTem Judge - Author
26. 10-May-2016 ORDERED: Motion to Unseal Jury List, Mental Health Report and Sentencing Memorandum (Appellant) = GRANTED/Unsealing jury list, IOR 55, the Continuity of Care Plan, IOR 8, and Sentencing Memorandum, IOR 72 for this appeal only. Anthony Mackey ProTem Judge - Author
27. 11-May-2016 FILED: Additional Record on Appeal
Certified Copy of Letter Appellant's Mother wrote to the Trial Court Regarding Sentencing, dated 12/04/2015 (per order dated 5/9/16)
28. 17-May-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcripts filed directly with COA1 previously)
29. 11-Jul-2016 ORDERED: Opening Brief due date EXTENDED from Friday, 07-08-2016 to Monday, 08-08-2016. Fred Cole ProTem Judge - Author
30. 13-Jul-2016 ORDERED: Dismissing the appeal in this court's case number 1 CA-CR 16-0043. FURTHER ORDERED: Above caption shall be used on all future documents filed in this appeal. Anthony Mackey ProTem Judge - Author
31. 8-Aug-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
32. 17-Aug-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
33. 28-Sep-2016 ORDERED: Answering Brief due date EXTENDED from Monday, 09-26-2016 to Wednesday, 10-26-2016. Fred Cole ProTem Judge - Author
34. 26-Oct-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
35. 22-Nov-2016 ORDERED: Reply brief due date EXTENDED from Monday, 11-21-2016 to Monday, 12-12-2016. Fred Cole ProTem Judge - Author
36. 29-Nov-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
37. 7-Dec-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes original transcript dated 10/21/2015)
38. 7-Dec-2016 FILED: Reporters Transcript - 10/21/2015 (Jennifer Pancratz)
39. 9-Dec-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)