

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 22-0085

STATE v. GARLAND

Appellate Case Information

Case Filed: 25-Feb-2022

Case Closed: 21-Mar-2023

Reinstated x 1: 28-Mar-2023 **Decision**

Re-Closed:

Dept/Composition

Department D

Hon. Jennifer M Perkins

Hon. James B Morse

Hon. Michael J Brown

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

Side 2. RUFUS LEE GARLAND, Appellant

(Litigant Group) RUFUS LEE GARLAND

- Rufus Lee Garland

Attorneys for: Appellant

Cynthia D Beck, Esq. (AZ Bar No. 22345)

CASE STATUS

Apr 29, 2024.....Case Closed

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2020-128043-001	Kidnap-Death, Class 2; Agg Aslt Temp, Class 4; Assault Int, Misdemeanor 1	5 Years DOC; 2.5 Years DOC; 30 Days DOC	Michael W Kemp, Sentencing	JURY	

DESCENDENT CASE (S)

ASC CR-23-0050-PR

CASE DECISION

26-Jan-2023 **MEMORANDUM DECISION**

Michael Brown.....Author

Jennifer Perkins.....Concur

James Morse.....Concur

Filed: 26-Jan-2023

Mandate: 29-Apr-2024

Decision Disposition

Affirmed

37 PROCEEDING ENTRIES

- 25-Feb-2022 FILED: Notice of Appeal from Maricopa County Superior Court filed 02/22/22. Notification sent to Court Reporters dated 02/24/2022.
- 7-Apr-2022 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 117
Exhibits: None sent with e-Record
- 8-Apr-2022 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 01/06/2022 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 3 34 35
36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76
77 78 79 92 93 94 95 96 97 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
- 8-Apr-2022 FILED: Reporter's Transcript - 01/06/2022 - Jury Trial (Lauren Kuhnhenh)
- 8-Apr-2022 FILED: Reporter's Transcript - 01/10/2022 - Jury Trial (Lauren Kuhnhenh)
- 10-Apr-2022 FILED: Reporter's Transcript - 02/14/2022 - Jury Trial - Sentencing (Scott Coniam)
- 10-Apr-2022 FILED: Reporter's Transcript - 01/11/2022 - Jury Trial (Scott Coniam)
- 10-Apr-2022 FILED: Reporter's Transcript - 01/12/2022 - Jury Trial (Scott Coniam)

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 22-0085****STATE v. GARLAND****37 PROCEEDING ENTRIES**

9. 11-Apr-2022 FILED: Notice of Completion of Record
10. 13-May-2022 FILED: Reporter's Transcript - 01/05/2022 (Scott Coniam)
11. 13-May-2022 FILED: Request for an Extension of Time to File Opening Brief; Certificate of Service (Appellant)
12. 17-May-2022 ORDERED: Request for an Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 05-26-2022 to Friday, 07-15-2022. FURTHER ORDERED: Ken Crenshaw transcript dated 07/27/2021 due by 06/15/2022. Benjamin A Armstrong ProTem Judge - Author
13. 20-May-2022 FILED: Reporter's Transcript - 07/27/2021 - Request for Alternative Counsel (Kimberly McCright)
14. 15-Jul-2022 FILED: Opening Brief - Anders; Certificate of Compliance; Certificate of Service - Opening Brief (Appellant)
15. 15-Jul-2022 FILED: Motion for Leave to File Supplemental Brief in Propria Persona; Certificate of Service - Motion for Leave (Appellant)
16. 18-Jul-2022 ORDERED: Allowing appellant to file supplemental brief in propria persona; FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG; FURTHER ORDERED: Appellant may raise additional points on/before 08/29/2022; FURTHER ORDERED: Answering brief to await court order. Benjamin A Armstrong ProTem Judge - Author
17. 25-Jul-2022 FILED: Letter, dated 07/20/2022, to Appellant from Counsel re: Forwarding records on appeal
18. 17-Aug-2022 FILED: (UNTITLED) Anders Supplemental Opening Brief (Appellant Pro Per)
19. 25-Aug-2022 FILED: Assigning Anders appeal to Dept D for consideration and disposition. [Amy M. Wood, Clerk]
20. 25-Aug-2022 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
21. 2-Sep-2022 FILED: Supplemented Superior Court e-Record with Revised Index of Record
22. 11-Oct-2022 FILED: Notice Requesting Post Conviction Relief filed 09/30/2022 in Maricopa County Superior Court.
23. 2-Dec-2022 FILED: Courtesy copy of Petition for Post-Conviction Relief Under Rule 32, filed 11/30/2022 in Maricopa County Superior Court
24. 4-Jan-2023 FILED: Notice Requesting Post Conviction Relief filed 12/29/2022 in Maricopa County Superior Court.
25. 26-Jan-2023 MEMORANDUM DECISION (Affirmed) Hon Michael J Brown - Author; Hon Jennifer M Perkins - Concur; Hon James B Morse Jr. - Concur (Motion for reconsideration extended thirty days from the date of this decision)
26. 26-Jan-2023 FILED: Memorandum Decision Distribution List
27. 13-Feb-2023 FILED: Motion for Review (Appellant Pro Per)
28. 22-Feb-2023 ORDERED: Motion for Review (Appellant Pro Per) = DENIED. Hon Michael J Brown - Author
29. 21-Mar-2023 FILED: Mandate, Physical record to clerk, Maricopa County Superior Court.
30. 21-Mar-2023 FILED: Letter dated 03/21/2023 to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report
31. 28-Mar-2023 FILED: Email Notice from ASC re: Petition for Review filed 03/28/2023; request for partial record
32. 28-Mar-2023 ORDERED: Reinstating this appeal for the purpose of transferring documents requested by the Arizona Supreme Court for review. Amy M Wood - Author
33. 29-Mar-2023 FILED: Letter forwarding partial record to Arizona Supreme Court
34. 13-Apr-2023 FILED: Appellant Submit this Pro Per Motion for Review (Appellant Pro Per)
35. 27-Jun-2023 FILED: ASC Letter dated 06/27/2023 re: ORDERED: Appellant Submit This Pro Per Petition for Review Upon His Case. = DENIED on 06/26/2023.
36. 29-Apr-2024 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.
37. 29-Apr-2024 FILED: Letter dated 04/29/2024, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report