

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 22-0456

STATE v. DUDLEY

Appellate Case Information

Case Filed: 6-Oct-2022

Case Closed: 28-Mar-2024

Decision

Dept/Composition

Department E

Hon. James B Morse
Hon. Cynthia J Bailey
Hon. Brian Y Furuya

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. MARK ANDREW DUDLEY, Appellant

(Litigant Group) MARK ANDREW DUDLEY

- Mark Andrew Dudley

Attorneys for: Appellant

Stephen L Duncan, Esq. (AZ Bar No. 14403)

CASE STATUS

Mar 28, 2024....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV V1300CR202080703	See File	See File	Krista M Carman, Sentencing	JURY	

PENDING MATTER

Motion for Extension of Time

Filed: 1-Apr-2024

Untitled (Motion for Extension of Time to file Motion for Reconsideration) (Appellant Pro Per)

CASE DECISION

15-Feb-2024 MEMORANDUM DECISION

James Morse.....Author

Cynthia Bailey.....Concur

Brian Furuya.....Concur

Filed: 15-Feb-2024

Mandate: 28-Mar-2024

Decision Disposition

Affirmed as Modified

41 PROCEEDING ENTRIES

- 6-Oct-2022 FILED: Notice of Appeal from Yavapai County Superior Court filed 10/03/22. Notification sent to Court Reporters dated 10/05/2022.
- 6-Oct-2022 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: Hearing Date: 07/28/2022 List # 14 15
Hearing Date: 07/26/2022 List # 19 20 21 22 23 24
- 12-Oct-2022 FILED: State's Response to Defendant's Motion for a New Trial (Appellee)
- 12-Oct-2022 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 07/27/2021 List # 3 25 (CD) in manila envelope
Physical Exhibits:
Hearing Date: 07/28/2022, 08/15/2022, 08/17/2022 List # 1 2 3 4 (CD) in manila envelope
- 13-Oct-2022 FILED: Appellate Clerk Notice (31.2(g))
- 7-Nov-2022 FILED: Request for Extension of Time (Time to File Transcript)(Susanne Nardoizzi)
- 8-Nov-2022 FILED: Request for Extension of Time (Time to File Transcript)(Lisa A Chaney)
- 10-Nov-2022 ORDERED: Request for Extension of Time (Time to File Transcript)(Susanne Nardoizzi) = GRANTED. Due date EXTENDED from Thursday, 11-17-2022 to Monday, 12-19-2022 or OSC set for 12/21/2022. Hon David B Gass - Author

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 22-0456****STATE v. DUDLEY****41 PROCEEDING ENTRIES**

9.	10-Nov-2022	ORDERED: Request for Extension of Time (Time to File Transcript)(Lisa A Chaney) = GRANTED. Due Dates EXTENDED to 12/19/2022 for Transcripts dated 07/26/2022, 07/27/2022, 07/28/2022 or OSC set for 12/21/2022. Hon David B Gass - Author
10.	14-Nov-2022	FILED: Reporter's Transcript - 09/13/2022 - Judgment of Guilt and Sentence (Mina Hunt)
11.	14-Nov-2022	FILED: Reporter's Transcript - 07/27/2022 - Trial Day Two (Mina G Hunt)
12.	14-Nov-2022	FILED: Reporter's Transcript - 07/28/2022 - Trial Day Three (Mina G Hunt)
13.	14-Nov-2022	FILED: Reporter's Transcript - 07/29/2022 - Trial Day Four (Mina G Hunt)
14.	14-Nov-2022	FILED: Reporter's Transcript - 08/29/2022 - Time Set for Sentencing (Mina G Hunt)
15.	8-Dec-2022	FILED: Request For Second Extension (Time to File Transcripts)(Lisa A Chaney); Doctor's Note; Doctor's Note #2
16.	9-Dec-2022	FILED: Reporter's Transcript - 07/26/2022 - Final Pretrial Conference and Jury Trial - Day 1 (AM) (Lisa A Chaney)
17.	12-Dec-2022	ORDERED: Request For Second Extension (Time to File Transcripts)(Lisa A Chaney); Doctor's Note; Doctor's Note #2 = GRANTED. Due Dates EXTENDED to 01/16/2023 for Transcripts dated 07/27/2022, 07/28/2022 or OSC set for 01/18/2023. FURTHER ORDERED: That if Court Reporter Lisa A Chaney is unable to produce the above-mentioned transcripts within the stated time frame, she is to reassign them to an available transcriber for preparation of said transcripts. FURTHER ORDERED: Vacating the Order to Show Cause hearing on 12/21/2022 for Lisa A Chaney. Hon David B Gass - Author
18.	19-Dec-2022	FILED: Reporter's Transcript - 07/26/2022 - Jury Trial Day 1 (Susanne Nardozzi)
19.	29-Dec-2022	FILED: Notice of Errata Incorrect Reporter on Minute Entry (Lisa Chaney)
20.	4-Jan-2023	FILED: Notice of Errata: Minute Entry Correction (Lisa Chaney)
21.	9-Jan-2023	FILED: Reporter's Transcript - 07/27/2022 - Jury Trial Day 2 AM (Lisa A Chaney)
22.	10-Jan-2023	FILED: Request for Extension of Time (Time to File Transcript)(Susanne Nardozzi)
23.	11-Jan-2023	ORDERED: Request for Extension of Time (Time to File Transcript)(Susanne Nardozzi) = GRANTED. Due date EXTENDED from Monday, 01-16-2023 to Wednesday, 02-15-2023 or OSC set for 03/01/2023. Hon David B Gass - Author
24.	15-Feb-2023	FILED: Reporter's Transcript - 07/28/2022 - Jury Trial (Susanne Nardozzi)
25.	21-Feb-2023	FILED: Notice of Completion of Record
26.	6-Apr-2023	FILED: Motion to Stay; Certificate of Service; Exhibit 1 (Appellant)
27.	12-Apr-2023	ORDERED: Motion to Stay (Appellant) = GRANTED. Staying this appeal until 05/24/2023. On 05/25/2023, the stay will be automatically lifted. FURTHER ORDERED: Extending the time to file the opening brief to 06/26/2023. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author
28.	26-Jun-2023	FILED: Motion for Extension of Time to File Opening Brief and Request to Supplement Record on Appeal; Certificate of Service (Appellant)
29.	5-Jul-2023	ORDERED: Request to Supplement Record on Appeal (Transcript) (Appellant) = DENIED. Benjamin A Armstrong ProTem Judge - Author
30.	5-Jul-2023	ORDERED: Request To Supplement Record On Appeal (Appellant) = GRANTED and supplementing the record on appeal by including all documents filed in the superior court after 10/06/2022. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to forward to this court by 07/17/2023, a certified copy of the superior court records designated above, marked for filing in this appeal. FURTHER ORDERED: Motion For Extension Of Time To File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 06-26-2023 to Monday, 08-28-2023 Benjamin A Armstrong ProTem Judge - Author
31.	7-Jul-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes all materials filed in the superior court after 10/06/2022)
32.	10-Jul-2023	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 02/06/2023 List # 26 27 (CDs) in manila envelope
33.	28-Aug-2023	FILED: Appellant's Opening Brief (Includes Anders Request); Certificate of Compliance; Certificate of Service (Appellant)

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 22-0456****STATE v. DUDLEY****41 PROCEEDING ENTRIES**

34. 29-Aug-2023 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 10/10/2023. FURTHER ORDERED: Answering brief to await court order. Benjamin A Armstrong ProTem Judge - Author
35. 10-Oct-2023 FILED: Supplemental Opening Brief (Appellant)
36. 13-Oct-2023 FILED: Assigning Anders appeal to Dept E for consideration and disposition. [Amy M. Wood, Clerk]
37. 15-Feb-2024 MEMORANDUM DECISION (Affirmed as Modified) Hon James B Morse Jr. - Author; Hon Cynthia J Bailey - Concur; Hon Brian Y Furuya - Concur (Motion for reconsideration extended thirty days from date of this decision.)
38. 15-Feb-2024 FILED: Decision Distribution Notification
39. 28-Mar-2024 FILED: Mandate, Physical record to clerk, Yavapai County Superior Court.
40. 28-Mar-2024 FILED: Letter dated 03/28/2024, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report
41. 1-Apr-2024 FILED: Untitled (Motion for Extension of Time to file Motion for Reconsideration) (Appellant Pro Per)