

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 22-0604****STATE v. CLEMONS****Appellate Case Information**

Case Filed: 28-Dec-2022

Case Closed:

Dept/Composition**Department E**Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe**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. ABRIANNA ROSE CLEMONS, Appellant**(Litigant Group) ABRIANNA ROSE CLEMONS**

- Abrianna Rose Clemons

Attorneys for: Appellant

Jesse Finn Turner, Esq. (AZ Bar No. 24011)

CASE STATUS**Apr 25, 2024.....Decision Rendered**

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2022-108834-001	Dschrg Firearm in City Limit, Class 6	1.5 Years, ADOC	Adam D Driggs, Sentencing	JURY	

2 OPEN DUE DATES**Motion for Reconsideration Due****Due By:**

Wednesday, May 15, 2024

*Re: MEMORANDUM DECISION (Affirmed) Hon Brian Y Furuya - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concur***Petition for Review to ASC due****Due By:**

Tuesday, May 28, 2024

*Re: MEMORANDUM DECISION (Affirmed) Hon Brian Y Furuya - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concur***CASE DECISION****25-Apr-2024 MEMORANDUM DECISION**

Brian Furuya.....Author

Anni Foster.....Concur

Randall Howe.....Concur

Filed: 25-Apr-2024

Mandate:

Decision Disposition

Affirmed**47 PROCEEDING ENTRIES**

- 28-Dec-2022 FILED: Notice of Appeal from Maricopa County Superior Court filed 12/22/22. Notification sent to Court Reporters dated 12/27/2022.
- 30-Dec-2022 FILED: Appellate Clerk Notice (31.2(g))
- 29-Jan-2023 FILED: Reporter's Transcript - 11/03/2022 - Trial Day 3 (Kristyn Lobry)
- 3-Feb-2023 FILED: Motion for Extension of Time (Time to File Transcripts)(Lori Reinhardt)
- 3-Feb-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None sent with e-Record
- 3-Feb-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 11/01/2022 List # 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 33 34 35 36 37 38 39 40 41 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 69 70 71 73 74 75 76 77 78 80 81 88 89 90 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope

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7.	3-Feb-2023	ORDERED: Motion for Extension of Time (Time to File Transcripts)(Lori Reinhardt) = GRANTED. Due Dates EXTENDED to 03/08/2023 for Transcripts dated 11/01/2022, 11/07/2022, 11/09/2022 or OSC set for 03/15/2023. Hon David B Gass - Author
8.	6-Feb-2023	FILED: Motion for Extension of Time (Time to File Transcripts)(Lisa Bradley)
9.	8-Feb-2023	ORDERED: Motion for Extension of Time (Time to File Transcripts)(Lisa Bradley) = GRANTED. Due Dates EXTENDED to 03/08/2023 for Transcripts dated 11/02/2022, 11/03/2022, 11/08/2022 or OSC set for 03/15/2023. Hon David B Gass - Author
10.	25-Feb-2023	FILED: Reporter's Transcript - 11/2/2022 (Lisa Bradley)
11.	1-Mar-2023	FILED: Notice of Appearance; Certificate of Service (Appellant)
12.	6-Mar-2023	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
13.	6-Mar-2023	FILED: Reporter's Transcript - 11/03/2022 (Lisa Bradley)
14.	6-Mar-2023	FILED: Reporter's Transcript - 11/08/2022 (Lisa Bradley)
15.	7-Mar-2023	FILED: Reporter's Transcript - 11/01/2022 - Trial Day 1 (Lori Reinhardt)
16.	7-Mar-2023	FILED: Reporter's Transcript - 11/07/2022 - Trial (Lori Reinhardt)
17.	7-Mar-2023	FILED: Reporter's Transcript - 11/09/2022 - Trial (Lori Reinhardt)
18.	13-Mar-2023	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 2 and 9), the Random Jury List (I.O.R. 73), and the Restitution Ledger Request (I.O.R. 85), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
19.	14-Mar-2023	FILED: Notice of Completion of Record
20.	15-Mar-2023	FILED: Notice of Appearance; Certificate of Service (Appellant)
21.	13-Apr-2023	FILED: Motion To Supplement The Record And Motion To Extend Time For Filing Opening Brief; Certificate of Service (Appellant)
22.	17-Apr-2023	ORDERED: Motion to Supplement the Record (Appellant) = GRANTED. FURTHER ORDERED: Directing Ken Crenshaw to arrange for filing of required transcripts due by 05/17/2023. FURTHER ORDERED: Motion To Extend Time For Filing Opening Brief = GRANTED. Extending the time to file the opening brief from 04/28/2023, to 06/16/2023. Benjamin A Armstrong ProTem Judge - Author
23.	9-May-2023	FILED: Notice of Appearance; Certificate of Service (Appellant)
24.	12-May-2023	FILED: Reporter's Transcript - 10/27/2022 - Trial Management Conference (Janice M. Grill)
25.	12-May-2023	FILED: Reporter's Transcript - 11/09/2022 - Jury Trial - Day Six/Jury Question (Janice M. Grill)
26.	12-Jun-2023	FILED: Motion for Extension of Time to File Appellant's Opening Brief; Certificate of Service (Appellant)
27.	12-Jun-2023	ORDERED: Motion for Extension of Time to File Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 06-16-2023 to Monday, 07-17-2023 Benjamin A Armstrong ProTem Judge - Author
28.	26-Jun-2023	FILED: Appellant's Second Motion to Supplement the Record and Third Motion to Extend Time for Filing of Opening Brief; Certificate of Service (Appellant)
29.	5-Jul-2023	ORDERED: Appellant's Second Motion To Supplement The Record (Appellant) = GRANTED and supplementing the record with transcripts dated 06/29/2022, 12/08/2022. FURTHER ORDERED: Directing court reporter Lori Reinhardt to prepare, and Ken Crenshaw to arrange for the preparation of transcripts due by 08/04/2023. FURTHER ORDERED: Third Motion To Extend Time For Filing Of Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-17-2023 to Tuesday, 09-05-2023. Benjamin A Armstrong ProTem Judge - Author
30.	20-Jul-2023	FILED: Reporter's Transcript - 12/08/2022 - Sentencing (Lori Reinhardt)
31.	9-Aug-2023	ORDERED: Extending the time to file the transcript dated 06/29/2022, from 08/04/2023, to 09/08/2023. FURTHER ORDERED: Opening brief is due by 10/10/2023. Benjamin A Armstrong ProTem Judge - Author
32.	12-Sep-2023	ORDERED: Ken Crenshaw transcript(s) due by 10/12/2023 or OSC set on 10/18/2023. FURTHER ORDERED: Opening brief is due by 11/13/2023. Benjamin A Armstrong ProTem Judge - Author [OSC VACATED per order filed 10/17/2023]
33.	16-Oct-2023	FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw)

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34. 17-Oct-2023 ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due date EXTENDED from Thursday, 10-12-2023 to Monday, 11-13-2023 (Transcript for Settlement Conference on 06/29/2022 by Reporter Ken Crenshaw due) or OSC set on 11/15/2023. FURTHER ORDERED: Vacating the OSC currently set for 10/18/2023. Hon Randall M Howe - Author
35. 18-Oct-2023 ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due date EXTENDED from Thursday, 10-12-2023 to Monday, 11-13-2023 (Transcript for Settlement Conference on 06/29/2022 by Reporter Ken Crenshaw due) or OSC set on 11/15/2023. FURTHER ORDERED: Moving the Opening Brief due date to 12/13/2023. FURTHER ORDERED: Vacating the OSC currently set for 10/18/2023. Hon Randall M Howe - Author
36. 7-Nov-2023 FILED: Reporter's Transcript - 06/29/2022 - Settlement Conference (Kimberly C. McCright)
37. 13-Dec-2023 FILED: Appellant's Opening Brief (Anders Brief); Appellant's Certificate of Compliance with Rule 31.12, ARCP; Certificate of Service (Appellee)
38. 13-Dec-2023 FILED: Motion for Leave to Allow Appellant to File Supplemental Brief in Propria Persona; Certificate of Service (Appellee)
39. 15-Dec-2023 ORDERED: ORDERED: If appellant wishes to file a pro se supplemental opening brief raising additional issues on appeal, appellant must do so by 01/24/2024. If appellant chooses to file a supplemental opening brief, appellant must file an original and one copy with the Clerk of this Court, provide two copies to appellee and provide one copy to appellant's counsel. FURTHER ORDERED: Directing appellant's counsel to furnish appellant a paper copy of the opening brief, together with a paper copy of all records on appeal, including all transcripts in counsel's possession. Counsel shall provide the Clerk of this Court and appellee a copy of counsel's transmittal letter, specifying the documents forwarded to appellant. FURTHER ORDERED: The filing of an answering brief shall await further order of the Court. Benjamin A Armstrong ProTem Judge - Author
40. 19-Dec-2023 FILED: Letter, dated 12/15/2023, to Appellant from Counsel re: Forwarding Record on Appeal (Appellee)
41. 31-Jan-2024 FILED: Assigning Anders appeal to Dept I for consideration and disposition. [Amy M. Wood, Clerk]
42. 31-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
43. 8-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
44. 26-Feb-2024 FILED: Memorandum vacating assignment of Anders appeal to Department I [Amy M. Wood, Clerk]
45. 26-Feb-2024 FILED: Assigning Anders appeal to Dept E for consideration and disposition. [Amy M. Wood, Clerk]
46. 25-Apr-2024 MEMORANDUM DECISION (Affirmed) Hon Brian Y Furuya - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concu
47. 25-Apr-2024 FILED: Decision Distribution Notification