

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 23-0085**

**STATE v. COWLED**

**Appellate Case Information**

Case Filed: **7-Mar-2023**

Case Closed:

**Dept/Composition**

**Department F**

Hon. Daniel J Kiley  
Hon. Kent E Cattani  
Hon. D Steven Williams

**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. MICHAEL J COWLED, Appellant**

(Litigant Group) MICHAEL J COWLED

- Michael J Cowled

**Attorneys for: Appellant**

Kyle Green, Esq. (AZ Bar No. 26253)

**CASE STATUS**

Mar 21, 2024....**Decision Rendered**

**PREDECESSOR CASE(S)**

Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2019-007261-001 See File	See File	Margaret LaBianca, Sentencing	JURY	

**2 OPEN DUE DATES**

**Motion for Reconsideration due**

**Due By:** Wednesday, April 10, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concur

**Petition for Review to ASC due**

**Due By:** Monday, April 22, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concur

**CASE DECISION**

**21-Mar-2024 MEMORANDUM DECISION**

Kent Cattani.....Author  
Daniel Kiley.....Concur  
D Williams.....Concur

Filed: **21-Mar-2024** Mandate:

Decision Disposition

**Affirmed**

**50 PROCEEDING ENTRIES**

- 7-Mar-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 02/13/23. Notification sent to Court Reporters dated 03/06/2023.
- 14-Mar-2023 FILED: Appellate Clerk Notice (31.2(g))
- 24-Mar-2023 FILED: Request for Extension (Time to File Transcripts)(Kristyn Lobry)
- 27-Mar-2023 ORDERED: Request for Extension (Time to File Transcripts)(Kristyn Lobry) = GRANTED. Due Dates EXTENDED to 04/26/2023 for Transcripts dated 12/08/2022, 12/06/2022 or OSC set on 05/03/2023. Hon David B Gass - Author
- 27-Mar-2023 FILED: Motion To Withdraw And Request For Appointment Of Counsel Due To Indigency; Certificate of Service (Appellant)
- 28-Mar-2023 FILED: Notice of No Financial Arrangements dated 03/28/2023 (Diane Donoho)
- 29-Mar-2023 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None sent with e-Record

**Court of Appeals, Division One**

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**50 PROCEEDING ENTRIES**

8. 29-Mar-2023 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 12/06/2022 - LIST # 2 3 4 5 6 7 8 9 11 12 13 14 15 16 17  
18 19 20 21 22 26 28 29 36 43 44 45 46 49.001 49.002 49.003 49.004  
49.005 49.006 49.007 51 55.001 55.002 63.001 63.002 63.003 63.005  
63.006 63.007 64 65 66 67 68 IN A BOX  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope
9. 31-Mar-2023 FILED: First Extension Request (Time to File Transcripts)(Terry Masciola)
10. 2-Apr-2023 FILED: Notice of No Financial Arrangements dated 04/02/2023 (Cindy L. Lineburg)
11. 3-Apr-2023 ORDERED: First Extension Request (Time to File Transcripts)(Terry Masciola) = GRANTED. Due date EXTENDED from Thursday, 03-30-2023 to Monday, 05-01-2023 for transcript dated 12/14/2022 or OSC set on 05/03/2023. Hon David B Gass - Author
12. 3-Apr-2023 ORDERED: Motion To Withdraw And Request For Appointment Of Counsel Due To Indigency (Appellant) = GRANTED. FURTHER ORDERED: Maricopa County Public Defender as attorney for appellant in this appeal. FURTHER ORDERED: Stephen Crawford must immediately forward all files, records, transcripts, and other documents that relate to this appeal to newly-appointed counsel. Benjamin A Armstrong ProTem Judge - Author
13. 4-Apr-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
14. 5-Apr-2023 FILED: Motion for Extension of Time (Transcripts) (Jessica Wasdyke)
15. 5-Apr-2023 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
16. 5-Apr-2023 ORDERED: Motion for Extension of Time (Transcripts) (Jessica Wasdyke) = GRANTED. Transcript dated 12/13/2022 EXTENDED to 05/01/2023 or OSC set on 05/03/2023. Hon David B Gass - Author
17. 11-Apr-2023 ORDERED: Court Reporter Jennifer Church transcript dated 12/12/2022 EXTENDED to 05/01/2023 or OSC set on 05/03/2023. Hon David B Gass - Author
18. 11-Apr-2023 ORDERED: Ken Crenshaw transcript dated 02/10/2023 EXTENDED to 05/01/2023 or OSC set on 05/03/2023. Hon David B Gass - Author  
  
[Vacated per order filed 05/03/2023]
19. 11-Apr-2023 ORDERED: Court Reporter Diane Donoho transcripts dated 12/15/2022 and 12/16/2022 EXTENDED to 05/01/2023 or OSC set on 05/03/2023. Hon David B Gass - Author
20. 11-Apr-2023 ORDERED: Court Reporter Cynthia L Lineburg transcript dated 12/07/2022 EXTENDED to 05/01/2023 or OSC set on 05/03/2023. Hon David B Gass - Author
21. 11-Apr-2023 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing Court Information Sheet (I.O.R. 3); Random Jury List (I.O.R. 118); Sealed Jury Questionnaires (I.O.R. 179 and 180); Restitution Ledger Request (I.O.R. 195); and Undated Letter (I.O.R. 196), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
22. 17-Apr-2023 FILED: Reporter's Transcript - 12/06/2022 - Trial Day 1 (Kristyn L. Lobry)
23. 19-Apr-2023 FILED: Reporter's Transcript - 12/08/2022 - Trial Day 3 (Kristyn L. Lobry)
24. 25-Apr-2023 FILED: Reporter's Transcript - 12/15/2022 - Trial Day 7 (Diane Donoho)
25. 25-Apr-2023 FILED: Reporter's Transcript - 12/16/2022 - Trial Day 8 (Diane Donoho)
26. 27-Apr-2023 FILED: Reporter's Transcript - 12/15/2022 - Trial Day 7 (Diane Donoho) (Amended)
27. 27-Apr-2023 FILED: Reporter's Transcript - 12/16/2022 - Trial Day 8 (Diane Donoho) (Amended)
28. 30-Apr-2023 FILED: Reporter's Transcript - 12/07/2022 - Trial (Cindy Lineburg)
29. 30-Apr-2023 FILED: Reporter's Transcript - 12/12/2022 - Trial Day 4 (Jennifer Church)
30. 30-Apr-2023 FILED: Second Extension Request (Time to File Transcripts) (Terry Masciola)

**Court of Appeals, Division One****Criminal****1 CA-CR 23-0085****STATE v. COWLED****50 PROCEEDING ENTRIES**

31.	1-May-2023	ORDERED: Second Extension Request (Time to File Transcripts) (Terry Masciola) = GRANTED. Due date EXTENDED from Monday, 05-01-2023 to Wednesday, 05-31-2023 (Transcript for 12/14/2022 by Reporter Terry L Masciola) or OSC set on 06/07/2023. FURTHER ORDERED: If Court Reporter Terry L Masciola cannot complete the above listed transcript by 05/31/2023, he/she will find an alternate Court Reporter to finish the above listed transcript(s). FURTHER ORDERED: Due date will not be extended again, absent a timely showing of actual and substantial good cause. Hon David B Gass - Author
32.	2-May-2023	FILED: Reporter's Transcripts - 12/13/2022 - Jury Trial (Jessica Wasdyke)
33.	2-May-2023	FILED: Affidavit Regarding Ordered Transcript - 05/02/2023 (Ken Crenshaw)
34.	3-May-2023	ORDERED: Court Reporter Treva Colwell transcript dated 02/10/2023 due by 06/19/2023. FURTHER ORDERED: Vacating the order of 04/11/2023, directing Ken Crenshaw to arrange for the preparation of the transcript designated above. FURTHER ORDERED: Vacating the OSC set for Ken Crenshaw on 05/03/2023. Benjamin A Armstrong ProTem Judge - Author
35.	19-May-2023	FILED: Reporter's Transcripts - 02/10/2023 - Sentencing (Treva B. Colwell)
36.	30-May-2023	FILED: Reporter's Transcript - 12/14/2022 - Trial (Terry Masciola)
37.	30-May-2023	FILED: Notice of Completion of Record
38.	2-Jun-2023	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
39.	13-Jun-2023	ORDERED: Motion To Withdraw And Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Kyle Green as attorney for appellant in this appeal. FURTHER ORDERED: Maricopa County Public Defender must immediately forward all files, records, transcripts, and other documents that relate to this appeal to newly-appointed counsel. FURTHER ORDERED: Motion To Extend Opening Brief Due Date (Appellant) = GRANTED. Due date EXTENDED from Friday, 07-14-2023 to Monday, 08-28-2023 Benjamin A Armstrong ProTem Judge - Author
40.	28-Aug-2023	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
41.	30-Aug-2023	FILED: Notice of Appearance; Certificate of Service (Appellee)
42.	3-Oct-2023	FILED: Unopposed Motion for Procedural Order (First Extension Motion for Answering Brief); Certificate of Service (Appellee)
43.	5-Oct-2023	ORDERED: Unopposed Motion for Procedural Order (First Extension Motion for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 10-10-2023 to Thursday, 11-09-2023. Benjamin A Armstrong ProTem Judge - Author
44.	9-Nov-2023	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
45.	27-Nov-2023	FILED: Notice of Intent Not to File Reply Brief; Certificate of Service (Appellant)
46.	28-Nov-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
47.	8-Dec-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Disposition Report)
48.	21-Dec-2023	CLNDR: CONFERENCE, Department F, 2-15-24, CONFERENCE ROOM.
49.	21-Mar-2024	MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concu
50.	21-Mar-2024	FILED: Decision Distribution Notification