

Court of Appeals, Division One

Criminal

1 CA-CR 23-0181

STATE v. NGUYEN

Appellate Case Information

Case Filed: 11-May-2023

Case Closed:

Dept/Composition

Department A

Hon. Angela K Paton
Hon. Michael S Catlett
Hon. James B Morse

Side 1. STATE OF ARIZONA, Appellant

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellant

Philip Casey Grove, Esq. (AZ Bar No. 35775)

Side 2. HERCULES VU NGUYEN, Appellee

(Litigant Group) HERCULES VU NGUYEN

- Hercules Vu Nguyen

Attorneys for: Appellee

Kristen Reller, Esq. (AZ Bar No. 36470)

CASE STATUS

Apr 4, 2024.....Decision Rendered

| PREDECESSOR CASE(S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|--------------------------|--------------------|-------------------|--|-------|-------|
| MAR CR2020-145645-001 | | | Anne H Phillips, Authoring Judge of Order | | |

2 OPEN DUE DATES

Motion for Reconsideration due

Due By:

Wednesday, April 24, 2024

Re: MEMORANDUM DECISION (Vacated, Remanded) Hon Angela K Paton - Author; Hon Michael S Catlett - Concur; Hon James B Morse Jr. - Concur

Petition for Review to ASC due

Due By:

Monday, May 6, 2024

Re: MEMORANDUM DECISION (Vacated, Remanded) Hon Angela K Paton - Author; Hon Michael S Catlett - Concur; Hon James B Morse Jr. - Concur

CASE DECISION

04-Apr-2024 MEMORANDUM DECISION

Angela Paton.....Author

Michael Catlett.....Concur

James Morse.....Concur

Filed: 04-Apr-2024

Mandate:

Decision Disposition

Vacated
Remanded

21 PROCEEDING ENTRIES

| | | |
|----|-------------|---|
| 1. | 11-May-2023 | FILED: Notice of Appeal from Maricopa County Superior Court filed 05/02/23. Notification sent to Court Reporters dated 05/10/2023. |
| 2. | 11-May-2023 | FILED: Appellate Clerk Notice (31.2(g)) |
| 3. | 15-May-2023 | FILED: Notice of Appearance; Certificate of Service (Appellee) |
| 4. | 15-Jun-2023 | FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 40 82 Exhibits: None sent with e-Record |
| 5. | 27-Jun-2023 | ORDERED: Ken Crenshaw transcript dated 04/18/2023 due by 07/27/2023 or OSC set on 08/02/2023. Hon David B Gass - Author [VACATED per order filed 08/01/2023] |
| 6. | 28-Jun-2023 | FILED: Motion to Unseal Documents; Certificate of Service (Appellee) |

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| 7. | 30-Jun-2023 | ORDERED: Motion to Unseal Documents (Appellee) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 2 and 15); the Victim Identifier (I.O.R. 8); the Medical Report of Dr. Jon Van Doren (I.O.R. 62); the Medical Report of Dr. Kevin Hurley (I.O.R. 63); the Medical Report of Dr. Rick Webster (I.O.R. 64); and the Medical Report of Dr. Leslie Dana-Kirby (I.O.R. 72), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author |
| 8. | 1-Aug-2023 | FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw) |
| 9. | 1-Aug-2023 | ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due date EXTENDED from Thursday, 07-27-2023 to Thursday, 08-31-2023 (Transcript for 04/18/2023 by Reporter Ken Crenshaw) or OSC set on 09/13/2023. FURTHER ORDERED: Vacating OSC set for 08/02/2023. Hon Randall M Howe - Author |
| 10. | 7-Aug-2023 | FILED: Reporter's Transcript - 04/18/2023 - Appeal (Leslie LeBlanc) |
| 11. | 7-Aug-2023 | FILED: Notice of Completion of Record |
| 12. | 21-Sep-2023 | FILED: Appellant's Opening Brief; Certificate of Compliance Re: State's Opening Brief; Certificate of Service Re: State's Opening Brief (Appellant) |
| 13. | 22-Sep-2023 | FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee) |
| 14. | 24-Oct-2023 | FILED: Unopposed Motion for Procedural Order Motion to Extend Time to File Appellee's Answering Brief; Certificate of Service (Appellee) |
| 15. | 25-Oct-2023 | ORDERED: Unopposed Motion for Procedural Order Motion to Extend Time to File Appellee's Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 10-31-2023 to Thursday, 11-30-2023. Benjamin A Armstrong ProTem Judge - Author |
| 16. | 30-Nov-2023 | FILED: Appellee's Answering Brief; Certificate of Service (Certificate of Compliance); Certificate of Service (Appellee) |
| 17. | 29-Dec-2023 | FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days |
| 18. | 8-Jan-2024 | FILED: Supplemented Superior Court e-Record with Revised Index of Record |
| 19. | 26-Jan-2024 | CLNDR: CONFERENCE, Department A, 3-19-24, COURTROOM 1. |
| 20. | 4-Apr-2024 | MEMORANDUM DECISION (Vacated, Remanded) Hon Angela K Paton - Author; Hon Michael S Catlett - Concur; Hon James B Morse Jr. - Concur |
| 21. | 4-Apr-2024 | FILED: Decision Distribution Notification |