

Court of Appeals, Division One

Criminal

1 CA-CR 23-0217

STATE v. DAVITT

Appellate Case Information

Case Filed: 9-Jun-2023

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Diane L Hunt, Esq. (AZ Bar No. 16566)

Side 2. DANIEL DAVITT, Appellant

(Litigant Group) DANIEL DAVITT

- Daniel Davitt

Attorneys for: Appellant

Stephen M Johnson, Esq. (AZ Bar No. 15831)

CASE STATUS

Apr 15, 2024....At Issue

| PREDECESSOR CASE(S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|-----------------------|-----------------------|-------------------|-----------------------------|-------|-------|
| MAR CR2020-001161-001 | Manslaughter, Class 2 | 33 years, ADOC | Roy C Whitehead, Sentencing | JURY | |

OPEN DUE DATE

Reply Brief Due

Due By:

Monday, May 6, 2024

Re: FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)

35 PROCEEDING ENTRIES

- 9-Jun-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/02/23. Notification sent to Court Reporters dated 06/08/2023.
- 9-Jun-2023 FILED: Appellate Clerk Notice (31.2(g))
- 12-Jun-2023 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court reporters Hope Yeager, Monica Hill-Morrisette, Scott Kindle, April Escobedo and Ken Crenshaw transcripts due 07/27/2023. Benjamin A Armstrong ProTem Judge - Author
- 14-Jul-2023 FILED: Record on Appeal: Combined Instruments/Minute Entries Disposition Report: #144, Filed 6/23/23 Exhibits: Not Sent At This Time
- 14-Jul-2023 FILED: Physical Exhibits: Hearing DAt 4/11/23 - L1st and #1, 2, 12, 20, 21, 22 in manila envelope; Confidential Criminal History in sealed manila envelope
- 21-Jul-2023 FILED: Reporter's Transcript - 04/27/2023 - Trial Day 7 (Afternoon Session) - (Scott Kindle)
- 26-Jul-2023 FILED: Reporter's Transcript - 04/12/2023 - Jury Trial - (Monica S Hill-Morrisette)
- 26-Jul-2023 FILED: Reporter's Transcript - 04/17/2023 - Jury Trial - (Monica S Hill-Morrisette)
- 26-Jul-2023 FILED: Reporter's Transcript - 04/20/2023 - Jury Trial - (Monica S Hill-Morrisette)
- 26-Jul-2023 FILED: Reporter's Transcript - 04/25/2023 - Jury Trial - (Monica S Hill-Morrisette)
- 26-Jul-2023 FILED: Reporter's Transcript - 04/18/2023 - Jury Trial - (Monica S Hill-Morrisette)
- 26-Jul-2023 FILED: Reporter's Transcript - 04/27/2023 - Jury Trial - (Monica S Hill-Morrisette)
- 26-Jul-2023 FILED: Reporter's Transcript - 05/01/2023 - Jury Trial - (Monica S Hill-Morrisette)
- 27-Jul-2023 FILED: Reporter's Transcripts - 05/01/2023 - Trial - Day Eight - AM - (April Escobedo)
- 31-Jul-2023 FILED: Reporter's Transcript - 04/11/2023 - Trial Day 1 - PM - (Hope J Yeager)

Court of Appeals, Division One**Criminal****1 CA-CR 23-0217****STATE v. DAVITT****35 PROCEEDING ENTRIES**

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| 16. | 1-Aug-2023 | FILED: Motion to Unseal Documents; Certificate of Service (Appellant) |
| 17. | 1-Aug-2023 | ORDERED: Ken Crenshaw transcript dated 06/02/2023 due by 08/31/2023 or OSC set on 09/06/2023. Hon Randall M Howe - Author |
| 18. | 4-Aug-2023 | ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheet (I.O.R. 3); the Random Jury List (I.O.R. 118); and the Restitution Ledger Request (I.O.R. 129), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author |
| 19. | 5-Sep-2023 | FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw) |
| 20. | 5-Sep-2023 | ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due date EXTENDED from 08/31/2023 to 10/02/2023 for transcript dated 06/02/2023 or OSC set on 10/04/2023. FURTHER ORDERED: Vacating the OSC set for 09/06/2023. Hon Randall M Howe - Author |
| 21. | 26-Sep-2023 | FILED: Reporter's Transcript - 06/02/2023 -Transcript Re: Sentencing Hearing (Kimberly C. McCright) |
| 22. | 27-Sep-2023 | FILED: Notice of Completion of Record |
| 23. | 29-Sep-2023 | FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant) |
| 24. | 10-Oct-2023 | ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Stephen Johnson as attorney for appellant in this appeal. FURTHER ORDERED: The 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 = GRANTED. Due date EXTENDED from Monday, 11-13-2023 to Thursday, 12-28-2023. Benjamin A Armstrong ProTem Judge - Author |
| 25. | 27-Dec-2023 | FILED: Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant) |
| 26. | 28-Dec-2023 | ORDERED: Request for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 12-28-2023 to Monday, 01-29-2024 Benjamin A Armstrong ProTem Judge - Author |
| 27. | 29-Jan-2024 | FILED: Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant) |
| 28. | 31-Jan-2024 | ORDERED: Request for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 01-29-2024 to Monday, 02-12-2024 Benjamin A Armstrong ProTem Judge - Author |
| 29. | 13-Feb-2024 | FILED: Request for Extension of Time to File Opening Brief (a Few Hours); Certificate of Service (Appellant) |
| 30. | 13-Feb-2024 | FILED: Appellant's Opening Brief; Appellant's Opening Brief Certificate of Compliance; Appellant's Opening Brief Certificate of Service (Appellant) [ACCEPTED per order filed 02/13/2024] |
| 31. | 13-Feb-2024 | ORDERED: Request for Extension of Time to File Opening Brief (a Few Hours) (Appellant) = GRANTED and accepting the opening brief filed 02/13/2024. Benjamin A Armstrong ProTem Judge - Author |
| 32. | 15-Feb-2024 | FILED: Notice of Appearance; Certificate of Service (Appellee) |
| 33. | 22-Mar-2024 | FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee) |
| 34. | 22-Mar-2024 | ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 03-25-2024 to Monday, 04-15-2024. Geoffrey P Butzine ProTem Judge - Author |
| 35. | 15-Apr-2024 | FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee) |