

Court of Appeals, Division One

Criminal

1 CA-CR 23-0317

STATE v. KIMBALL

Appellate Case Information

Case Filed: 2-Aug-2023

Case Closed:

Dept/Composition

Department D

Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

Side 1. STATE OF ARIZONA, Appellant

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellant

Sasha Charls, Esq. (AZ Bar No. 36015)

Side 2. JOSHUA RUIC KIMBALL, Appellee

(Litigant Group) JOSHUA RUIC KIMBALL

- Joshua Ruic Kimball

Attorneys for: Appellee

David G Bednar, Esq. (AZ Bar No. 17937)

CASE STATUS

Jun 27, 2024....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
CON S0300CR202200544			Joshua Steinlage, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CR-24-0181-PR

OPEN DUE DATE

Petition for Review to ASC due

Due By:

Monday, July 29, 2024

Re: MEMORANDUM DECISION (Vacated, Remanded) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur

CASE DECISION

27-Jun-2024 MEMORANDUM DECISION

Michael Brown.....Author

Samuel Thumma.....Concur

Jennifer Campbell.....Concur

Filed: 27-Jun-2024

Mandate:

Decision Disposition

Vacated
Remanded

17 PROCEEDING ENTRIES

- 2-Aug-2023 FILED: Notice of Appeal from Coconino County Superior Court filed 07/17/23. Notification to Court Reporters dated 07/24/2023.
- 2-Aug-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None sent with e-Record
- 4-Aug-2023 FILED: Appellate Clerk Notice (31.2(g))
- 16-Aug-2023 FILED: Reporter's Transcript - 07/06/2023 - Evidentiary Hearing Re: Motion to Dismiss (Tiffany Auer)
- 16-Aug-2023 FILED: Notice of Completion of Record
- 18-Sep-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 07/06/2023 List # 1 2 3 4 in manila envelope
- 28-Sep-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
- 28-Sep-2023 FILED: Appendices (Appellant)

Court of Appeals, Division One**Criminal****1 CA-CR 23-0317****STATE v. KIMBALL****17 PROCEEDING ENTRIES**

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| 9. | 29-Sep-2023 | ORDERED: Directing appellant to file amended, signed certificates of compliance and service by 10/06/2023. Benjamin A Armstrong ProTem Judge - Author |
| 10. | 2-Oct-2023 | FILED: Certificate of Compliance; Certificate of Service (Appellant) |
| 11. | 28-Oct-2023 | FILED: Appellee's Response [sic] Brief (Answering Brief); Certificate of Compliance/ Certificate of Service; Certificate of Compliance/ Certificate of Service (Duplicate) (Appellee) |
| 12. | 21-Dec-2023 | CLNDR: CONFERENCE, Department D, 2-14-24, COURTROOM 2. |
| 13. | 1-Feb-2024 | ORDERED: Revesting jurisdiction in the Coconino County Superior Court and directing that court to rule on the motion to reconsider, including after any additional briefing the superior court may deem appropriate, and any matters related thereto. FURTHER ORDERED: Directing the clerk of the superior court to transmit the superior court's ruling on the motion to reconsider and any record documents related thereto within 5 days of entry of the court's ruling. FURTHER ORDERED: Staying this appeal until 05/01/2024, unless, before that date, the court receives record documents confirming that the superior court has ruled on Appellant's motion to reconsider. FURTHER ORDERED: that the stay will be lifted automatically on 05/01/2024, unless before that date one of the parties files a motion to continue the stay describing the status of the superior court proceedings. Hon Samuel A Thumma - Author |
| 14. | 9-May-2024 | FILED: Supplemented Superior Court e-Record with Revised Index of Record |
| 15. | 14-Jun-2024 | FILED: Memorandum resetting conference to 6/5/24 (Judge Thumma) |
| 16. | 27-Jun-2024 | MEMORANDUM DECISION (Vacated, Remanded) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur |
| 17. | 27-Jun-2024 | FILED: Decision Distribution Notification |