

**Court of Appeals, Division One**  
**Criminal Petition Review Post Conviction Relief**

**1 CA-CR 23-0325 PRPC**

**STATE v. JOHNSON**

**Appellate Case Information**

Case Filed: 7-Aug-2023  
Case Closed:

**Dept/Composition**

**Department D**

Hon. David D Weinzwieg  
Hon. Michael S Catlett  
Hon. Maria Elena Cruz

**Side 1. STATE OF ARIZONA, Respondent**

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Respondent**

Douglas Gerlach, Esq. (AZ Bar No. 6869)

**Side 2. KENDALL SHAMAAR JOHNSON, Petitioner**

(Litigant Group) KENDALL SHAMAAR JOHNSON

- Kendall Shamaar Johnson

**Attorneys for: Petitioner**

Randal Boyd McDonald, Esq. (AZ Bar No. 32008)  
Robert Joseph Dormady, Esq. (AZ Bar No. 31755)  
Andi Humphreys, Esq. (AZ Bar No. 37814)

**CASE STATUS**

Feb 13, 2024....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CR2004-009960-001		Justin Beresky, Judge on PC		

**DESCENDENT CASE(S)**

ASC CR-24-0061-PR

**OPEN DUE DATE**

Petition for Review to ASC due

Due By:

Monday, April 15, 2024

[1 extension]

Re: MEMORANDUM DECISION (Review Granted, Relief Denied) Hon David D Weinzwieg - Author; Hon Michael S Catlett - Concur; Hon Maria Elena Cruz - Concur

**CASE DECISION**

13-Feb-2024 MEMORANDUM DECISION

David Weinzwieg.....Author  
Michael Catlett.....Concur  
Maria Cruz.....Concur

Filed: 13-Feb-2024

Mandate:

Decision Disposition

**Review Granted**  
**Relief Denied**

**21 PROCEEDING ENTRIES**

- 7-Aug-2023 FILED: Petition for Review; Certificate of Service; Certificate of Compliance (Petitioner)
- 7-Aug-2023 FILED: Appendix to Petition for Review (Petitioner)
- 8-Aug-2023 ORDERED: Clerk of Maricopa County Superior Court to transmit record on appeal, including but not limited to reporter's transcripts and exhibits, to clerk, Court of Appeals, on/before 09/22/2023. Amy M Wood - Author
- 6-Sep-2023 FILED: State Of Arizona's Response In Opposition To Petition For Review; Certificate of Service (Respondent)
- 18-Sep-2023 FILED: Reply in Support of Petition for Review; Certificate of Service; Certificate of Compliance (Petitioner)
- 21-Sep-2023 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: 74  
Exhibits: None sent with e-Record  
(Includes transcript(s) dated 08/16/2004, 08/20/2004, 08/19/2004, 08/18/2004, 08/17/2004, 10/01/2004)

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7.	21-Sep-2023	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 08/17/2004 List # 2 3 4 5 6 7 8 9 10 11 12 13 14 16 17 18 19 20 21 22 23 24 25 26 27 28 in manila envelope Hearing Date: 01/14/2005 List # 1 in manila envelope
8.	27-Sep-2023	FILED: Request for Oral Argument; Certificate of Service (Petitioner)
9.	13-Oct-2023	ORDERED: Request for Oral Argument (Petitioner) = GRANTED. Hon David B Gass - Author
10.	25-Oct-2023	CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 12-13-23, 09:30 am, COURTROOM 2.
11.	30-Oct-2023	FILED: Notice of Oral Argument
12.	6-Nov-2023	FILED: Unopposed Motion to Continue Oral Argument Motion for Procedural Order; Certificate of Service (Petitioner)
13.	8-Nov-2023	FILED: Return Receipt Re Oral Argument (Respondent)
14.	8-Nov-2023	ORDERED: Unopposed Motion to Continue Oral Argument Motion for Procedural Order (Petitioner) = GRANTED and vacating the oral argument set for 12/13/2023. This matter will be reset for oral argument by future order. Hon David D Weinzwieg - Author
15.	29-Nov-2023	ORDERED: Resetting oral argument in this matter for 01/18/2024, at 10:00 a.m. in Courtroom 1, State Courts Building, 1501 W. Washington St., Phoenix, AZ. Hon David D Weinzwieg - Author
16.	1-Dec-2023	FILED: Return Receipt for Notice of Oral Argument (Respondent)
17.	17-Jan-2024	FILED: Return Receipt for Notice of Oral Argument (Petitioner)
18.	18-Jan-2024	FILED: Sign-in Sheet (01/18/2024)
19.	13-Feb-2024	MEMORANDUM DECISION (Review Granted, Relief Denied) Hon David D Weinzwieg - Author; Hon Michael S Catlett - Concur; Hon Maria Elena Cruz - Concur
20.	13-Feb-2024	FILED: Decision Distribution Notification
21.	7-Mar-2024	FILED: ASC Order filed 03/07/2024 re: extending time for filing Petition for Review to 04/15/2024