

Court of Appeals, Division One

Criminal

1 CA-CR 23-0346

STATE v. CARDOZA

Appellate Case Information

Case Filed: 18-Aug-2023

Case Closed: 24-Nov-2023

Reinstated x 1: 3-Jan-2024 Dismissal

Re-Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

• State of Arizona

Attorneys for: Appellee

Michael O'Toole, Esq. (AZ Bar No. 19555)

Side 2. GRISELDA CARDOZA, Appellant

(Litigant Group) GRISELDA CARDOZA

• Griselda Cardoza

Attorneys for: Appellant

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

CASE STATUS

Jul 8, 2024.....At Issue

Jan 3, 2024.....Reinstated Case

PREDECESSOR CASE(S)

MAR CR2020-136175-001

Cause/Charge/Class

Theft-Control Property,
Class 2

Judgment/Sentence

8.5 years, ADOC

Judge, Role <Comments>

David J Palmer, Sentencing

Trial

JURY

Dispo

OPEN DUE DATE

Reply Brief Due

Due By:

Monday, July 29, 2024

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

CASE DECISION

17-Oct-2023 **ORDER**

Vacated

ORDERED: Dismissing this appeal. [Vacated per order filed 01/03/2024]

Filed: 17-Oct-2023

Mandate:

Decision Disposition

Dismissed

Benjamin Armstrong.....Author

43 PROCEEDING ENTRIES

1. 18-Aug-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/11/23. Notification to Court Reporters dated 08/17/2023.

2. 18-Aug-2023 FILED: Appellate Clerk Notice (31.2(g))

3. 28-Aug-2023 ORDERED: Directing Appellant to make arrangements with the court reporter(s) by 09/27/2023, to pay for the preparation of the transcripts. FURTHER ORDERED: Directing Appellant to file a notice in this court by 10/10/2023, as to the arrangements made. If Appellant fails to file a notice, the court will dismiss this appeal. FURTHER ORDERED: Appellant may file in the superior court a motion to proceed as indigent with a supporting affidavit. Counsel Michael Leal must assist Appellant with the request. Appellant must file a copy of the request in this court by 09/27/2023. FURTHER ORDERED: Absent satisfactory financial arrangements, no transcripts are due in this case until further order from this court. Benjamin A Armstrong ProTem Judge - Author

4. 8-Sep-2023 FILED: Returned US Mail, Order for Financial Arrangements for Transcripts dated 08/28/2023, addressed to Griselda Cardoza, Name and ADC # don't match, (Resent 09/11/2023)

5. 22-Sep-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 85
Exhibits: None sent with e-Record

Court of Appeals, Division One**Criminal****1 CA-CR 23-0346****STATE v. CARDOZA****43 PROCEEDING ENTRIES**

6. 25-Sep-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 05/06/2023 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34
35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75
76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111
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141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169
170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198
199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 in manila envelope
7. 25-Sep-2023 FILED: Notice of No Financial Arrangements (Scott Kindle)
8. 27-Sep-2023 FILED: Affidavit of No Payment Arrangements (Lisa Bradley)
9. 28-Sep-2023 FILED: Affidavit of No Financial Arrangements (Nicole Tatlow)
10. 29-Sep-2023 FILED: Untitled Letter (Request to Proceed as an Indigent of Appeal and Request for Appointment of Counsel) (Appellant Pro Per)
11. 3-Oct-2023 ORDERED: Untitled Letter (Request to Proceed as an Indigent of Appeal and Request for Appointment of Counsel) (Appellant Pro Per) = DENIED. Benjamin A Armstrong ProTem Judge - Author
12. 17-Oct-2023 ORDERED: Dismissing this appeal. Benjamin A Armstrong ProTem Judge - Author
13. 24-Nov-2023 FILED: Letter, 11/24/2023, Certified Copy of Order dismissing appeal. Physical record returned to clerk, Maricopa County Superior Court.
14. 24-Nov-2023 FILED: Letter dated 11/24/2023, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report
15. 22-Dec-2023 FILED: Request for Reconsideration on Appeal (Appellant Pro Per)
16. 3-Jan-2024 ORDERED: Request for Reconsideration on Appeal (Appellant Pro Per) = GRANTED and reinstating this appeal. FURTHER ORDERED staying this appeal until 03/04/2024, and revesting jurisdiction in the superior court to give the superior court the opportunity to rule on appellant's motion to proceed as an indigent on appeal. FURTHER ORDERED: Directing the clerk of the superior court to provide a copy of any superior court ruling on the motion to proceed as an indigent on appeal within five days of its entry. FURTHER ORDERED: The stay will automatically lift without further order on 03/05/2024. FURTHER ORDERED: That if appellant has not made financial arrangements for the preparation of the transcripts or, in the alternative, obtained an order from the superior court granting a motion to proceed as an indigent on appeal by 03/05/2024, the court will dismiss this appeal. FURTHER ORDERED that no transcripts are due in this matter until further order of this court. Benjamin A Armstrong ProTem Judge - Author
17. 8-Jan-2024 FILED: Maricopa County Superior Court Minute Entry, dated 01/05/2024
18. 9-Jan-2024 ORDERED: Lifting the stay of this appeal effective immediately. FURTHER ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Scott Kindle, Catherine Turner, Kit Walker, Lisa Bradley, and Nicole Tatlow transcript(s) due by 02/23/2024. Benjamin A Armstrong ProTem Judge - Author
19. 9-Jan-2024 FILED: Reporter's Transcript - 05/23/2023 - Jury Trial Day Five (Kit Walker)
20. 16-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
21. 17-Jan-2024 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 05/06/2023 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34
35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75
76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111
112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140
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170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198
199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 219 IN BOX
22. 1-Feb-2024 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
23. 1-Feb-2024 FILED: Reporter's Transcript - 05/24/2023 - Reporter's Transcript of Proceedings (Lisa Bradley)
24. 5-Feb-2024 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheet (I.O.R. 2); the Random Jury List (I.O.R. 70); and the Restitution Ledger Request (I.O.R. 78), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
25. 16-Feb-2024 FILED: Reporter's Transcript - 07/28/2023 - Sentencing (Nicole Tatlow)

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26.	18-Feb-2024	FILED: Reporter's Transcript - 05/22/2023 - Jury Trial - (Catherine Turner)
27.	23-Feb-2024	FILED: Reporter's Transcript - 05/16/2023 - Trial Day 1 (Scott Kindle)
28.	23-Feb-2024	FILED: Reporter's Transcript - 05/17/2023 - Trial Day 2 (Scott Kindle)
29.	23-Feb-2024	FILED: Reporter's Transcript - 05/18/2023 - Trial Day 3 (Scott Kindle)
30.	26-Feb-2024	FILED: Notice of Completion of Record
31.	4-Mar-2024	FILED: Notice of Appearance; Certificate of Service (Appellant)
32.	27-Mar-2024	FILED: Unopposed Motion to Supplement the Record; Certificate of Service (Appellant)
33.	1-Apr-2024	ORDERED: Unopposed Motion to Supplement the Record (Appellant) = GRANTED and supplementing the record with the worksheet provided to jurors, attached to the motion as "Attachment A." Benjamin A Armstrong ProTem Judge - Author
34.	3-Apr-2024	FILED: Motion to Extend Time to File Appellant's Opening Brief; Certificate of Service (Appellant)
35.	3-Apr-2024	FILED: Letter, dated 04/03/2024, to Appellant from Counsel re: Forwarding records on appeal (Appellant)
36.	4-Apr-2024	ORDERED: Motion to Extend Time to File Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 04-11-2024 to Monday, 05-13-2024. Benjamin A Armstrong ProTem Judge - Author
37.	8-Apr-2024	FILED: Letter, dated 04/08/2024, to Appellant from Counsel re: Forwarding Superior Court exhibits (Appellant)
38.	6-May-2024	FILED: Motion to Extend Time to File Appellant's Opening Brief (Second Request); Certificate of Service (Appellant)
39.	7-May-2024	ORDERED: Motion to Extend Time to File Appellant's Opening Brief (Second Request) (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-13-2024 to Monday, 05-27-2024. Benjamin A Armstrong ProTem Judge - Author
40.	9-May-2024	ORDERED: Amending the order issued 05/07/2024, to reflect that the opening brief is due by 05/28/2024. Benjamin A Armstrong ProTem Judge - Author
41.	28-May-2024	FILED: Appellant's Opening Brief; Certificate of Compliance with Rule 31.12, ARCP; Certificate of Service (Appellant)
42.	3-Jun-2024	FILED: Notice of Appearance; Certificate of Service (Appellee)
43.	8-Jul-2024	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)