

Arizona Supreme Court
Criminal Post Conviction

CR-15-0270-PC

STATE OF ARIZONA v DARREL PETER PANDELI

Appellate Case Information

Case Filed: 5-Aug-2015
Case Closed:

Dept/Composition

En Banc

Hon. Scott Bales
Hon. John Pelander
Hon. Robert M. Brutinel
Hon. Ann A. Scott Timmer
Hon. Clint Bolick

Side 1. STATE OF ARIZONA, Plaintiff

(Litigant Group) STATE OF ARIZONA

- State of Arizona, Petitioner

Attorneys for: Plaintiff

Mark Brnovich, Esq. (AZ Bar No. 14134)
John R Lopez, IV, Esq. (AZ Bar No. 19182)
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Jason Easterday, Esq. (AZ Bar No. 23191)

Side 2. DARREL PETER PANDELI, Defendant

(Litigant Group) DARREL PETER PANDELI

- Darrel Peter Pandeli, Respondent

Attorneys for: Defendant

Kenneth S Countryman, Esq. (AZ Bar No. 15682)
Julie Hall, Esq. (AZ Bar No. 17252)

Side 3. ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE and ARIZONA CAPTIAL REPRESENTATION PROJECT, Amicus Curiae

(Litigant Group) ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE and ARIZONA CAPTIAL REPRESENTATION PROJECT

- Arizona Attorneys for Criminal Justice
- Arizona Capital Representation Project

Attorneys for: Amicus Curiae AACJ & ACRP

David J Euchner, Esq. (AZ Bar No. 21768)
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CASE STATUS

May 10, 2016....Submitted	Mar 15, 2016....At Issue
Mar 15, 2016....Oral Argument Granted	Aug 5, 2015.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR1993-008116			Robert L Gottsfield, Judge on PC		

44 PROCEEDING ENTRIES

1.	5-Aug-2015	FILED: Motion to Cite Trial Transcripts; Certificate of Service (Plaintiff State)
2.	6-Aug-2015	A "Motion to Cite Trial Transcripts" having been filed by Plaintiff State on August 5, 2015. After consideration, IT IS ORDERED granting the motion. (Hon. Ann A. Scott Timmer)
3.	17-Aug-2015	FILED: The State of Arizona's Petition for Review; Certificate of Service; Certificate of Service; Re Court of Appeals Order; Superior Court Orders (Appendices A-D) (Plaintiff State)
4.	17-Aug-2015	FILED: Certificate of Compliance; Certificate of Service (Plaintiff State)
5.	17-Aug-2015	FILED: Appendices A-J; Certificate of Service; Appendix K - Part 1; (Appendix K - Part 2) (Plaintiff State)
6.	17-Aug-2015	FILED: (Appendix K - Part 3); Certificate of Service; (Appendix K - Part 4); (Appendix K - Part 5) (Plaintiff State)
7.	17-Aug-2015	FILED: Appendices L-Q; Certificate of Service; Appendices R-V (Plaintiff State)
8.	17-Aug-2015	FILED: Appendix W - Part 1; Certificate of Service; (Appendix W - Part 2); Appendices X-Z (Plaintiff State)
9.	17-Aug-2015	FILED: Appendices AA-OO; Certificate of Service; Appendix PP - Part 1; (Appendix PP - Part 2) (Plaintiff State)
10.	17-Aug-2015	FILED: Appendices QQ-SS; Certificate of Service (Plaintiff State)

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11. 17-Aug-2015 FILED: Motion to Exceed Page Limit (to Petition for Review of Post-Conviction Relief) (24-page PR Filed); Certificate of Service (Plaintiff State)
12. 17-Aug-2015 A "Motion to Exceed Page Limit" having been filed, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count/pagination,

IT IS ORDERED granting Plaintiff's motion to exceed the page count limit on the Petition for Review by 4 pages for a total of 24 pages. The Petition for Review shall be filed this date. (Janet Johnson, Clerk)
13. 16-Sep-2015 FILED: Motion for Forty-Five (45) Day Enlargement of Time to File Response to Petition for Review; Certificate of Service (Defendant Pandeli)
14. 18-Sep-2015 A "Motion for Forty-Five (45) Day Enlargement of Time to File Response to Petition for Review" having been filed on September 16, 2015,

IT IS ORDERED granting a first extension of time to file the Response to Petition for Review on or before November 2, 2015. (Janet Johnson, Clerk)
15. 2-Nov-2015 FILED: Motion for Sixty (60) Day Enlargement of Time to File Response to Petition for Review; Certificate of Service (Defendant Pandeli)
16. 3-Nov-2015 A "Motion for Sixty (60) Day Enlargement of Time to File Response to Petition for Review" having been filed by Defendant Pandeli on November 2, 2015,

IT IS ORDERED granting a second extension of time to file the Response to Petition for Review or before January 1, 2016. (Janet Johnson, Clerk)
17. 2-Jan-2016 FILED: Motion for Ten (10) Business Enlargement of Time to File Response to Petition for Review; Certificate of Service (Defendant Pandeli)
18. 4-Jan-2016 A "Motion for Ten(10) Business Enlargement of Time to File Response to Petition for Review" having been filed by Defendant Pandeli on January 2, 2016,

IT IS ORDERED granting a third extension of time to file the Response to Petition for Review on or before January 11, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Hon. Robert M. Brutinel)
19. 11-Jan-2016 FILED: Response to Petition for Review; Respondent's Appendix 1-3; Certificate of Compliance; Certificate of Service (Defendant Pandeli)
20. 13-Jan-2016 FILED: Amended Certificate of Service; Certificate of Service (Defendant Pandeli)
21. 20-Jan-2016 FILED: Motion for Extension of Time to Reply to Respondent's Response to Petition for Review; Certificate of Service (Plaintiff State)
22. 21-Jan-2016 A "Motion for Extension of Time to Reply to Respondent's Response to Petition for Review" having been filed by Plaintiff State on January 20, 2016,

IT IS ORDERED granting a first extension of time to file the Reply to Respondent's Response to Petition for Review on or before January 25, 2016. (Janet Johnson, Clerk)
23. 25-Jan-2016 FILED: Motion for Second Extension of Time to Reply to Respondent's Response to Petition for Review; Certificate of Service (Plaintiff State)
24. 26-Jan-2016 A "Motion for Second Extension of Time to Reply to Respondent's Response to Petition for Review" having been filed on January 25, 2016,

IT IS ORDERED granting a second extension of time to file the Reply to Defendant's Response to Petition for Review on or before January 27, 2016. (Janet Johnson, Clerk)
25. 27-Jan-2016 FILED: Reply to Response to Petition for Review; Certificate of Service; Certificate of Compliance (Plaintiff State)

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26. 15-Mar-2016 ORDERED: The State of Arizona's Petition for Review = GRANTED.
FURTHER ORDERED: The case shall be set for oral argument.
FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.
27. 17-Mar-2016 NOTICE OF ORAL ARGUMENT: Set for Tuesday, May 10, 2016 at 9:30 A.M. [twenty minutes (20) per side]
28. 17-Mar-2016 FILED: Notice of Filing Acknowledgment of Oral Argument (Lacy Stover Gard will argue) (Plaintiff State)
29. 29-Mar-2016 FILED: Notice of Filing Acknowledgment of Oral Argument (Kenneth S. Countryman will argue) (Defendant Pandeli)
30. 4-Apr-2016 FILED: The State of Arizona's Supplemental Brief; Certificate of Service; Certificate of Compliance (Plaintiff State)
31. 6-Apr-2016 FILED: Respondent's Supplemental Brief; Certificate of Service; Certificate of Compliance (Defendant Pandeli)
32. 6-Apr-2016 FILED: Motion for Procedural Order to Accept Late Filed Supplemental Brief; Certificate of Service (Defendant Pandeli)
33. 7-Apr-2016 A "Motion for Procedural Order to Accept Late Filed Supplemental Brief" (Defendant Pandeli) having been filed on April 6, 2016, IT IS ORDERED granting the motion. The supplemental brief shall be filed as of April 6, 2016. (Hon. Clint Bolick)
34. 13-Apr-2016 FILED: Brief of Amici Curiae Arizona Attorneys for Criminal Justice (AACJ) and Arizona Capital Representation Project (ACRP) in Support of Respondent; Certificate of Service; Certificate of Compliance (Amicus Curiae Arizona Attorneys for Criminal Justice and Arizona Capital Representation Project)
35. 13-Apr-2016 FILED: Motion for Leave to File an Amicus Curiae Brief (Amicus Curiae Arizona Attorneys for Criminal Justice and Arizona Capital Representation Project)
36. 13-Apr-2016 FILED: Motion for Leave for Amicus Curiae to Participate in Oral Argument; Certificate of Service (Amicus Curiae Arizona Attorneys for Criminal Justice and Arizona Capital Representation Project)
37. 14-Apr-2016 A "Motion for Leave to File an Amicus Curiae Brief" (Amicus Curiae Arizona Attorneys for Criminal Justice and Arizona Capital Representation Project) and the "Brief of Amici Curiae Arizona Attorneys for Criminal Justice and Arizona Capital Representation Project in Support of Respondent" were filed on April 13, 2016.
IT IS ORDERED granting the motion. The brief shall be filed as of April 13, 2016. (Hon. Clint Bolick)
38. 14-Apr-2016 On April 13, 2016, Amicus Curiae Arizona Attorneys for Criminal Justice and Arizona Capital Representation Project filed a "Motion for Leave for Amicus Curiae to Participate in Oral Argument." After consideration,
IT IS ORDERED granting the motion. Counsel for Defendant Pandeli may cede part of the twenty (20) minutes allotted for defendant's oral argument to counsel for Arizona Attorneys for Criminal Justice and Arizona Capital Representation Project to argue as amicus curiae.
(Hon. Scott Bales)
39. 27-Apr-2016 FILED: Notice of Appearance (Julie S. Hall for Defendant Pandeli) Certificate of Service (Defendant Pandeli)
40. 27-Apr-2016 FILED: Notice of Filing Acknowledgment of Oral Argument (Julie S. Hall will argue) (Defendant Pandeli)
41. 3-May-2016 FILED: Response to Amicus Brief; Certificate of Service; Certificate of Compliance (Plaintiff State)
42. 10-May-2016 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Lacy Stover Gard; Julie Hall; David J. Euchner)
43. 20-May-2016 FILED: Supplemental Authority; Certificate of Service (Defendant Pandeli)
44. 24-May-2016 FILED: (Duplicate) Supplemental Authority; Certificate of Service (Defendant Pandeli)