

Arizona Supreme Court
Criminal Post Conviction

CR-16-0099-PC

STATE OF ARIZONA v ALBERT MARTINEZ CARREON

<p>Appellate Case Information</p> <p>Case Filed: 14-Mar-2016</p> <p>Case Closed:</p>	<p>Dept/Composition</p>
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Side 1. STATE OF ARIZONA, Plaintiff
(Litigant Group) STATE OF ARIZONA

- State of Arizona, Respondent
- Attorneys for: Plaintiff**
 Mark Brnovich, Esq. (AZ Bar No. 14134)
 John R Lopez, IV, Esq. (AZ Bar No. 19182)
 Lacey Stover Gard, Esq. (AZ Bar No. 22714)
 Gregory Michael Hazard, Esq. (AZ Bar No. 23258)

Side 2. ALBERT MARTINEZ CARREON, Defendant
(Litigant Group) ALBERT MARTINEZ CARREON

- Albert Martinez Carreon, Petitioner
- Attorneys for: Defendant**
 Tom Henze, Esq. (AZ Bar No. 3262)
 Janey Henze Cook, Esq. (AZ Bar No. 22496)
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CASE STATUS

Mar 14, 2016....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2001-090195			Michael D Jones, Judge on PC	JURY	

44 PROCEEDING ENTRIES

1. 14-Mar-2016 FILED: Petition for Review of Denial of PCR; Exhibits; Certificate of Service; Certificate of Compliance; Exhibits A-D (Defendant Carreon)
2. 14-Mar-2016 FILED: Request to Expand Page Limit for PCR Petition for Review; Exhibit; Certificate of Service; (Copy of) MCSC Order Dated 11/16/2015 (Defendant Carreon)
3. 14-Mar-2016 FILED: Index to the Appendix of Exhibits in Support of Petition for Review; Certificate of Service; Appendix Part 1; Appendix Part 2 (Defendant Carreon)
4. 14-Mar-2016 FILED: Appendix Part 3; Appendix Part 4; Appendix Part 5; Appendix Part 6 (Defendant Carreon)
5. 14-Mar-2016 FILED: Appendix (Cover Page and Index); Certificate of Service; Appendix Part 7; Appendix Part 8 (Defendant Carreon)
6. 14-Mar-2016 FILED: Appendix Part 9; Certificate of Service; Appendix Part 10; Appendix Part 11 (Defendant Carreon)
7. 14-Mar-2016 FILED: Appendix Part 12; Certificate of Service; Appendix Part 13; Appendix Part 14 (Defendant Carreon)
8. 14-Mar-2016 FILED: Appendix Part 15; Certificate of Service; Appendix Part 16; Appendix Part 17 (Defendant Carreon)
9. 14-Mar-2016 FILED: (Duplicate) Appendix (Cover Page and Index); Certificate of Service; Appendix Part 18; Appendix Part 19 (Defendant Carreon)
10. 14-Mar-2016 FILED: Affidavit of Tom Henze; Certificate of Service (Defendant Carreon)
11. 14-Mar-2016 FILED: Appendix 153 (Filed Under SEAL) (Defendant Carreon)
12. 14-Mar-2016 FILED: Appendix 176 (Filed Under SEAL) (Defendant Carreon)
13. 14-Mar-2016 FILED: Appendix 178 (Filed Under SEAL) (Defendant Carreon)

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14. 23-Mar-2016 Upon considering Petitioner Carreon's Request to Expand Page Limit for PCR Petition for Review, and the extraordinary circumstances unique to this case,

IT IS ORDERED that the motion is granted. (Hon. Ann A. Scott Timmer)
15. 12-Apr-2016 FILED: Notice of Appearance (Attorney Greg Hazard for State of Arizona); Certificate of Service (Plaintiff State)
16. 13-Apr-2016 FILED: Unopposed Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Plaintiff State)
17. 14-Apr-2016 An "Unopposed Motion for Extension of Time to File Response to Petition for Review" (Plaintiff State) having been filed on April 13, 2016,

IT IS ORDERED granting a first extension of time to file the Response to the Petition for Review on or before May 16, 2016. (Janet Johnson, Clerk)
18. 22-Apr-2016 FILED: Petitioner's Request (1) that the Court Consider the Documents Submitted by the County Attorney for In Camera Review in the Superior Court, and (2) for this Court to Order Copies of those Documents to be Provided to Pro Bono Counsel; Exhibits; Certificate of Service; Exhibit 1(-9) (Defendant Carreon)
19. 13-May-2016 FILED: (Second) Unopposed Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Plaintiff State)
20. 16-May-2016 A "(Second) Unopposed Motion for Extension of Time to File Response to Petition for Review" (Plaintiff State) having been filed on May 13, 2016,

IT IS ORDERED granting a second extension of time to file the Response to the Petition for Review on or before June 7, 2016. (Hon. Robert M. Brutinel)
21. 7-Jun-2016 FILED: (Third) Unopposed Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Plaintiff State)
22. 21-Jun-2016 FILED: (Fourth) Motion for Extension of Time to File Response to Petition for Review; Certificate of Service; Exhibit A (Plaintiff State)
23. 21-Jun-2016 FILED: Motion to Exceed Page Limit; Certificate of Service (Plaintiff State)
24. 22-Jun-2016 Respondent State has filed a motion for a seven day extension to file a Response to the Petition for Review, and for leave to exceed the page limit on the Response by 75 pages, for a total of 95 pages. After consideration,

IT IS ORDERED granting the motions. Respondent may file a Response to the Petition for Review of not more than 95 pages, on or before June 28, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Hon. John Pelander)
25. 28-Jun-2016 FILED: (Fifth) Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Plaintiff State)
26. 29-Jun-2016 A "(Fifth) Motion for Extension of Time to File Response to Petition for Review" (Plaintiff State) having been filed on June 28, 2016,

IT IS ORDERED granting a fifth extension of time to file the Response to Petition for Review on or before July 11, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Hon. John Pelander)
27. 11-Jul-2016 FILED: (Sixth) Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Plaintiff State)
28. 12-Jul-2016 A "(Sixth) Motion for Extension of Time to File Response to Petition for Review" (Respondent State) having been filed on July 11, 2016,

IT IS ORDERED granting a final extension of time to file the Response to Petition for Review on or before July 18, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Hon. Ann A. Scott Timmer)
29. 18-Jul-2016 FILED: (Seventh) Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Plaintiff State)
30. 20-Jul-2016 FILED: The State Of Arizona's Response To Petition For Review; Certificate of Service; Certificate of Compliance; Exhibit A (through H) (Plaintiff State)
31. 21-Jul-2016 A "(Seventh) Motion for Extension of Time to File Response to Petition for Review" (Respondent State) having been filed on July 18, 2016, and "The State of Arizona's Response to Petition for Review" having been filed on July 20, 2016,

IT IS ORDERED granting the motion. The response filed on July 20, 2016 shall be deemed timely filed. (Hon. Ann A. Scott Timmer)
32. 27-Jul-2016 FILED: Petitioner's Renewed Request to be Provided with Copies of Documents Submitted by the County Attorney for the Court Below's In Camera Review; Certificate of Service (Defendant Carreon)

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33. 27-Jul-2016 FILED: Unopposed Motion for Extension of Time to File Reply Brief in Support of Petition for Review; Certificate of Service (Defendant Carreon)
34. 28-Jul-2016 On April 22, 2016, Petitioner Carreon filed "Petitioner's Request (1) that the Court Consider the Documents Submitted by the County Attorney for In Camera Review in the Superior Court, and (2) for this Court to Order Copies of those Documents to be Provided to Pro Bono Counsel." On July 27, 2016, Petitioner filed "Petitioner's Renewed Request to be Provided with Copies of Documents Submitted By the County Attorney for the Court Below's In Camera Review," and an "Unopposed Motion for Extension of Time to File Reply Brief in Support of Petition for Review." After consideration,
- IT IS ORDERED granting a first extension of time to file the Reply in Support of Petition for Review on or before August 31, 2016. The request and renewed request for production of the May 24 and 31, 2001 County Attorney's case notes will be considered in due course. (Hon. Robert M. Brutinel)
35. 19-Aug-2016 FILED: State's Motion for Court to Order Trial Court to Prepare and Transmit Record; Certificate of Service (Plaintiff State)
36. 31-Aug-2016 FILED: Unopposed Motion for Second Extension to File Petitioner's Reply to State's Response to Petitioner's Petition for Review; Cert of Service (Defendant Carreon)
37. 6-Sep-2016 A "Unopposed Motion for Second Extension to File Petitioner's Reply to State's Response to Petitioner's Petition for Review" having been filed on August 31, 2016,
- IT IS ORDERED granting a second extension of time to file the Reply to State's Response to Petitioner's Petition for Review on or before September 30, 2016. (Hon. Robert M. Brutinel)
38. 12-Sep-2016 Upon considering the State's Motion for Court to Order Trial Court to Prepare and Transmit Record,
- IT IS ORDERED that the motion is granted.
- IT IS FURTHER ORDERED that no later than October 12, 2016, and pursuant to Rule 32.9(e), Ariz. R. Crim. P., the Clerk of the Maricopa County Superior Court shall electronically transmit to the Clerk of this Court the record of Rule 32 post-conviction proceedings in State v. Carreon, case number CR2001-090195, with an index of record. The superior court clerk shall not send any exhibit that cannot be provided as an electronic copy. (Hon. Robert M. Brutinel)
39. 29-Sep-2016 FILED: (Third) Unopposed Motion for Further Extension to File Petitioner's Reply to State's Response to Petitioner's Petition for Review; Certificate of Service (Defendant Carreon)
40. 3-Oct-2016 A "(Third) Unopposed Motion for Further Extension to File Petitioner's Reply to State's Response to Petitioner's Petition for Review" (Defendant Carreon) having been filed on September 29, 2016,
- IT IS ORDERED granting a third extension of time to file the Reply to Response to Petition for Review on or before October 31, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Hon. John Pelander)
41. 17-Oct-2016 FILED: Electronic Records in CR2001-090195 from MCSC: Instruments and MEs
42. 28-Oct-2016 FILED: Request to Expand Page Limit for Petitioner's Reply in Support of Petition for Review; Certificate of Service (Defendant Carreon)
43. 28-Oct-2016 FILED: Petitioner's Reply in Support of Petition for Review; Certificate of Service; Exhibits 1-9 to Petitioner's Reply in Support of Petition for Review (Defendant Carreon)
44. 31-Oct-2016 A "Request to Expand Page Limit for Petitioner's Reply in Support of Petition for Review (Defendant Carreon)" having been filed on October 28, 2016, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended pagination,
- IT IS ORDERED granting Defendant's "Request to Expand Page Limit for Petitioner's Reply in Support of Petition for Review" by 53 pages for a total of 63 pages. Petitioner's Reply in Support of Petition for Review shall be filed as of October 28, 2016. (Janet Johnson, Clerk)