

Arizona Supreme Court
Criminal Petition for Review - Appeal

CR-15-0337-PR

STATE OF ARIZONA v CHRISTIAN ADAIR

Appellate Case Information

Case Filed: 2-Oct-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, Appellant
 (Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellant

William G Montgomery, Esq. (AZ Bar No. 21246)
 Lisa Marie Martin, Esq. (AZ Bar No. 10668)

Side 2. CHRISTIAN ADAIR, Appellee
 (Litigant Group) CHRISTIAN ADAIR

- Christian Adair

Attorneys for: Appellee

James J Haas, Esq. (AZ Bar No. 12162)
 Mikel Steinfeld, Esq. (AZ Bar No. 24996)
 Spencer D Heffel, Esq. (AZ Bar No. 4981)

Side 3. ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE, Amicus Curiae
 (Litigant Group) ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE

- Arizona Attorneys for Criminal Justice

Attorneys for: Amicus Curiae

David J Euchner, Esq. (AZ Bar No. 21768)
 Rhonda Elaine Neff, Esq. (AZ Bar No. 29773)

CASE STATUS

Nov 22, 2016....Decision Rendered

May 19, 2016....Oral Argument Granted

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CR 14-0115				
MAR	CR2013-111090-001	Granting Motion to Suppress Evidence	Robert L Gottsfield, Authoring Judge of Order Comments: (none)	BENCH	

CASE DECISION

22-Nov-2016 **OPINION**

The court of appeals' opinion is vacated, the superior court's order granting Adair's motion to suppress is reversed, and the case is remanded to the superior court for further proceedings.

Filed: **22-Nov-2016** Mandate:

Decision Disposition
CofA Vacated
Reversed

John Pelander.....Author
Scott Bales.....Concur
Robert Brutinel.....Concur
Ann Timmer.....Concur
Clint Bolick.....Concur

26 PROCEEDING ENTRIES

1. 2-Oct-2015 FILED: Motion for Extension of Time to File a Petition for Review; Certificate of Service (Appellee Adair)

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2. 2-Oct-2015 A "Motion for Extension of Time to File a Petition for Review" (Appellee Adair) having been filed on October 2, 2015,

IT IS ORDERED granting a first extension of time to file the Petition for Review on or before November 2, 2015. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the Petition for Review is not filed by November 2, 2015. (Janet Johnson, Clerk)
3. 2-Nov-2015 FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Appellee Adair)
4. 3-Nov-2015 FILED: Record from CofA: Electronic Record
5. 5-Nov-2015 FILED: State's Notice of Acknowledgment; Certificate of Service (Appellant State)
6. 25-Nov-2015 FILED: Motion to Supplement Petition for Review with Transcripts of Oral Argument at Court of Appeals (Transcript included); Certificate of Service; Transcript - 3/4/2015 (Lisa J Berkey, Transcriptionist) (Appellee Adair)
7. 10-Dec-2015 The Clerk of the Supreme Court having been authorized by the Supreme Court to order any party to file a Response to a Petition for Review at the direction of a Supreme Court staff attorney,

IT IS ORDERED that Appellant State shall file a Response to the Petition for Review on or before December 31, 2015.

IT IS FURTHER ORDERED no extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson, Clerk)
8. 11-Dec-2015 On November 25, 2015, Appellee Adair filed a "Motion to Supplement Petition for Review with Transcripts of Oral Argument at Court of Appeals" (Transcript included). After consideration,

IT IS ORDERED granting the motion. The transcript shall be filed as of November 25, 2015. (Hon. Ann A. Scott Timmer)
9. 30-Dec-2015 FILED: Response to Petition for Review; Certificate of Service; Certificate of Compliance (Appellant State)
10. 7-Jan-2016 FILED: Envelope addressed to Christian Adair returned marked "Attempted - Not Known." Correct address not known. (See Dkt Nos 7 and 8)
11. 18-May-2016 FILED: Notice of Reassignment within the Office of the Maricopa County Public Defender (Attorney Steinfeld replacing Attorney Heffel for Appellee Adair); Certificate of Service (Appellee Adair)
12. 19-May-2016 ORDERED: 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.
13. 24-May-2016 NOTICE OF ORAL ARGUMENT: Set for Tuesday, September 13, 2016 at 9:40 A.M. [twenty minutes per side]
14. 25-May-2016 FILED: Notice of Filing Acknowledgment of Oral Argument (Lisa Marie Martin will argue) (Appellant State)
15. 25-May-2016 FILED: Notice of Filing Acknowledgment of Oral Argument (Mikel Steinfeld will argue) (Appellee Adair)
16. 1-Jun-2016 FILED: Remaining Record from CofA - MCSC: Instruments and MEs (Electronic)

Exhibits - 1 Manila Envelope
(List; [Def Exh Nos 1, 2, 5])

CofA: Instruments (1 Part) (CofA Briefs Electronic)

Final Disposition Report (Electronic #68)
17. 9-Jun-2016 FILED: Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellant State)
18. 9-Jun-2016 FILED: Appellee's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellee Adair)
19. 20-Jun-2016 FILED: Brief of Amicus Curiae Arizona Attorneys for Criminal Justice (AACJ) in Support of Petitioner; Certificate of Service; Certificate of Compliance (Amicus Arizona Attorneys for Criminal Justice)
20. 20-Jun-2016 FILED: Motion for Leave to File an Amicus Curiae Brief (Amicus Arizona Attorneys for Criminal Justice)

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21. 21-Jun-2016 A "Motion for Leave to File an Amicus Curiae Brief" (Amicus Arizona Attorneys for Criminal Justice), and the Brief of Amicus Curiae, were filed on June 20, 2016.

IT IS ORDERED granting the "Motion for Leave to File an Amicus Curiae Brief." The brief shall be filed as of June 20, 2016. (Hon. John Pelander)
22. 13-Sep-2016 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Lisa Marie Martin; Mikel Steinfeld)
23. 22-Nov-2016 OPINION - The court of appeals' opinion is vacated, the superior court's order granting Adair's motion to suppress is reversed, and the case is remanded to the superior court for further proceedings. (Hon. John Pelander - Author; Hon. Scott Bales - Concur; Hon. Robert M. Brutinel - Concur; Hon. Ann A. Scott Timmer - Concur; Hon. Clint Bolick - Concur)
24. 22-Nov-2016 FILED: Motion to Extend Deadline to File Motion for Reconsideration; Certificate of Service (Appellee Adair)
25. 23-Nov-2016 A "Motion to Extend Deadline to File Motion for Reconsideration" (Appellee Adair) having been filed on November 22, 2016,

IT IS ORDERED granting an extension of time to file the Motion for Reconsideration on or before December 22, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson, Clerk)
26. 22-Dec-2016 FILED: Motion to Reconsider; Certificate of Service (Appellant Adair)