Arizona Supreme Court

Criminal Petition for Review - Appeal

CR-16-0286-PR — STATE OF ARIZONA v DUSTIN GILL

Appellate Case Information

Case Filed: 28-Jul-2016

Case Closed:

Dept/Composition

En Banc

Hon. Scott Bales
Hon. John Pelander
Hon. Robert M. Brutinel
Hon. Ann A. Scott Timmer
Hon. Clint Bolick
Hon. Andrew W. Gould
Hon. Rebecca White Berch

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**

Attorneys for: Appellee

Mark Brnovich, Esq. (AZ Bar No. 14134)
John R. Lopez, IV, Esq. (AZ Bar No. 19182)
Joseph T Maziarz, Esq. (AZ Bar No. 9212)
Jana Zinman, Esq. (AZ Bar No. 24019)

Side 2. DUSTIN GILL, Appellant

(Litigant Group) DUSTIN GILL

- **Dustin Gill**

Attorneys for: Appellant

Martin Lieberman, Esq. (AZ Bar No. 7442)
Cynthia D Beck, Esq. (AZ Bar No. 22345)

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

Randy McDonald, Esq. (AZ Bar No. 32008)
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CASE STATUS

Jan 18, 2017....	**Submitted**	Nov 15, 2016....	**At Issue**
Nov 15, 2016....	Oral Argument Granted	Jul 28, 2016.....	Pending

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CR 15-0509					
↳ MAR	CR2013-449134-001	Possession or Use of Marijuana, Class 1 Misdemeanor	1 Year Probation	Teresa A Sanders, Sentencing Comments: (none)	BENCH	

21 PROCEEDING ENTRIES

1.	28-Jul-2016	FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Appellant Gill)
2.	29-Jul-2016	FILED: Record from CofA: Electronic Record
3.	29-Aug-2016	FILED: The State of Arizona's Response to Petition for Review; Certificate of Service; Certificate of Compliance (Appellee State)
4.	29-Aug-2016	FILED: Brief of Amicus Curiae Arizona Attorneys for Criminal Justice in Support of Dustin Gill's Petition for Review; Certificate of Service; Certificate of Compliance (Amicus Arizona Attorneys for Criminal Justice)
5.	29-Aug-2016	FILED: Motion for Leave to File Brief as Amicus Curiae; Certificate of Service (Amicus Arizona Attorneys for Criminal Justice)
6.	30-Aug-2016	A "Motion for Leave to File Brief as Amicus Curiae" (Amicus Curiae Arizona Attorneys for Criminal Justice) and the Brief of Amicus Curiae were filed on August 29, 2016. IT IS ORDERED granting the "Motion for Leave to File Brief as Amicus Curiae." The brief shall be filed as of August 29, 2016. (Janet Johnson, Clerk)

Information presented in this document may not reflect all case activity and is subject to change without notice.

21 PROCEEDING ENTRIES

7.	15-Nov-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.
8.	2-Dec-2016	FILED: Remaining Record from CofA - MCSC: Instruments and MEs (Electronic) Env No 1 - HD 6/4/2015 - List; Def Exh No 1 Env No 2 - HD 7/17/2015 - List; Pltf Exh No 5 CofA: Instruments - 1 Part
9.	5-Dec-2016	FILED: Appellant's Supplemental Brief in Support of His Petition for Review; Certificate of Service (Appellant Gill)
10.	5-Dec-2016	FILED: Appellee's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellee State)
11.	15-Dec-2016	NOTICE OF ORAL ARGUMENT: Set for Wednesday, January 18, 2017, at 1:20 P.M. [twenty minutes (20) per side]
12.	15-Dec-2016	FILED: Notice of Filing Acknowledgment of Oral Argument (Cynthia Dawn Beck will argue) (Appellant Gill)
13.	15-Dec-2016	FILED: Motion for Leave to File Supplemental Brief as Amicus Curiae; Certificate of Service (Amicus Curiae Arizona Attorneys for Criminal Justice)
14.	15-Dec-2016	FILED: Supplemental Brief of Amicus Curiae Arizona Attorneys for Criminal Justice; Certificate of Service; Certificate of Compliance (Amicus Curiae Arizona Attorneys for Criminal Justice)
15.	19-Dec-2016	A "Motion for Leave to File Supplemental Brief as Amicus Curiae" (Amicus Curiae Arizona Attorneys for Criminal Justice) and the Brief of Amicus Curiae were filed on December 15, 2016. IT IS ORDERED granting the motion. The brief shall be filed as of December 15, 2016. (Hon. Clint Bolick)
16.	21-Dec-2016	IT IS ORDERED that no later than December 23, 2016, the Maricopa County Superior Court shall transmit to the Clerk of the Arizona Supreme Court the audio or videotape recording of the settlement conference proceedings on September 3, 2014 for case number CR2013-449134-001. IT IS FURTHER ORDERED that no later than December 28, 2016, the Maricopa County Superior Court shall file with the Clerk of the Arizona Supreme Court a transcript of the settlement conference proceedings on September 3, 2014 for case number CR2013-449134-001. (Hon. Scott Bales)
17.	21-Dec-2016	FILED: Supplemental Record from MCSC: Copy of 9/3/2014 Hearing Video (DVD)
18.	22-Dec-2016	FILED: Notice of Filing Acknowledgment of Oral Argument (Jana Zinman will argue) (Appellee State)
19.	27-Dec-2016	FILED: Reporter's Transcript - 09/03/2014 - Settlement Conference (Debbie Palmer)
20.	28-Dec-2016	Justice John R. Lopez has recused himself and will not participate in argument or decision of the above captioned matter. Therefore, pursuant to Article 6, Section 3 of the Arizona Constitution, IT IS ORDERED that the Honorable Rebecca White Berch, Justice (Retired) of the Arizona Supreme Court, is designated to sit on the case and participate until the matter is finally determined. (Hon. John Pelander)
21.	18-Jan-2017	ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Jana Zinman; Cynthia D. Beck)

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