

Arizona Supreme Court
Criminal Petition for Review - Appeal

CR-20-0008-PR

STATE OF ARIZONA v CLAUDIUS C MURRAY

Appellate Case Information

Case Filed: 6-Jan-2020
Case Closed:

Dept/Composition

En Banc
Hon. Robert Brutinel
Hon. Ann A. Scott Timmer
Hon. Clint Bolick
Hon. Andrew W. Gould
Hon. John R. Lopez
Hon. James P. Beene
Hon. William G. Montgomery

Consolidated with: CR-19-0368-PR

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Mark Brnovich, Esq. (AZ Bar No. 14134)
Joseph T Maziarz, Esq. (AZ Bar No. 9212)
Amy Thorson, Esq. (AZ Bar No. 20705)

(Litigant Group) ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE

- Arizona Attorneys for Criminal Justice, Amicus Curiae

Attorneys for: Appellee

David J Euchner, Esq. (AZ Bar No. 21768)
Erin K Sutherland, Esq. (AZ Bar No. 27627)
Kathleen E Brody, Esq. (AZ Bar No. 26331)
Molly Patricia Brizgys, Esq. (AZ Bar No. 29216)

Side 2. CLAUDIUS C. MURRAY, Appellant

(Litigant Group) CLAUDIUS C. MURRAY

- Claudius C Murray

Attorneys for: Appellant

Joshua F Hamilton, Esq. (AZ Bar No. 28084)
Carol Lamoureux, Esq. (AZ Bar No. 31262)

CASE STATUS

Oct 15, 2020....Submitted	Aug 25, 2020....At Issue
Aug 25, 2020....Oral Argument Granted	Jan 6, 2020.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA 2 CA-CR 18-0312					
↔ PIM CR20170096002			James E Marner, Trial Comments: (none)		

26 PROCEEDING ENTRIES

- 6-Jan-2020 FILED: Petition for Review to the Arizona Supreme Court; Certificate of Service; Certificate of Compliance; Opinion (Appellant Murray)
- 7-Jan-2020 FILED: Record from CofA: Link to Electronic Record
- 8-Jan-2020 FILED: Motion to Consolidate; Certificate of Service (Appellant Murray)
- 10-Jan-2020 On January 8, 2020, Appellant Claudius C. Murray filed a "Motion to Consolidate," seeking to consolidate his petition for review with the petition for review pending in State of Arizona v. Easton Murray, CR-19-0368-PR. Having considered the motion,

IT IS ORDERED directing the Clerk to place the petitions for review in CR-19-0368-PR and CR-20-0008-PR on the same agenda for consideration at the same time.

IT IS FURTHER ORDERED deferring further consideration of consolidation until the Court considers the two petitions for review. (Hon. Andrew W. Gould)
- 3-Feb-2020 FILED: Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Appellee State)

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6. 4-Feb-2020 A "Motion for Extension of Time to File Response to Petition for Review" (Appellee State) having been filed on February 03, 2020, IT IS ORDERED granting a first extension of time to file the response to petition for review on or before March 6, 2020. 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 March 6, 2020. (Janet Johnson, Clerk)
7. 6-Mar-2020 FILED: The State of Arizona's Response to Petition for Review; Certificate of Service; Certificate of Compliance (Appellee State)
8. 27-Mar-2020 FILED: Brief of Amicus Curiae Arizona Attorneys for Criminal Justice in Support of Petition for Review; Certificate of Service; Certificate of Compliance (Amicus Arizona Attorney's for Criminal Justice)
9. 27-Mar-2020 FILED: Motion for Leave to File Amicus Curiae Brief of Arizona Attorneys for Criminal Justice in Support of Petition for Review (Amicus Arizona Attorneys for Criminal Justice)
10. 30-Mar-2020 A "Motion for Leave to File Amicus Curiae Brief of Arizona Attorneys for Criminal Justice in Support of Petition for Review" (Amicus Arizona Attorneys for Criminal Justice) and the brief of amicus curiae were filed on March 27, 2020.
IT IS ORDERED granting the motion. The brief shall be filed as of March 27, 2020. (Janet Johnson, Clerk)
11. 3-Jun-2020 ORDERED: Motion to Consolidate = CONTINUED.
FURTHER ORDERED: Petition for Review to the Arizona Supreme Court = CONTINUED.
12. 25-Aug-2020 ORDERED: Motion to Consolidate = GRANTED.
FURTHER ORDERED: Consolidating this case with CR-19-0368-PR.
FURTHER ORDERED: Petition for Review to the Arizona Supreme Court = GRANTED as to this rephrased issue only:
Did the prosecutor's misstatement of the reasonable-doubt standard during rebuttal argument constitute fundamental, prejudicial error?
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 September 11, 2020. Any amicus briefs are due on or before September 21, 2020, and any responses to amicus briefs are due on or before October 2, 2020. Any amicus briefs or responses may not exceed 20 pages in length.
13. 1-Sep-2020 Pursuant to this Court's order filed on August 27, 2020,
IT IS ORDERED amending the caption to reflect the consolidation of cases CR-19-0368-PR and CR-20-0008-PR.
IT IS FURTHER ORDERED that the primary case number is designated as CR-19-0368-PR, State of Arizona v. Easton Courtney Murray. (Hon. Robert Brutinel)
14. 3-Sep-2020 NOTICE OF ORAL ARGUMENT: Set for Thursday, October 15, 2020 at 10:15 A.M. [twenty (20) minutes per side]
15. 4-Sep-2020 FILED: Notice of Filing Acknowledgment of Oral Argument (Linley Wilson will argue) (Appellee State)
16. 4-Sep-2020 FILED: Motion for Leave to Participate in Oral Argument as Amicus Curiae; Certificate of Service; Acknowledgment of Receipt of Notice of Oral Argument (Amicus Curiae AACJ)
17. 3-Sep-2020 FILED: Notice of Filing Acknowledgment of Oral Argument (Carol Lamoureux will argue) (Appellant C. Murray)
18. 15-Sep-2020 On September 4, 2020, Amicus Curiae Arizona Attorneys for Criminal Justice filed a "Motion for Leave to Participate in Oral Argument as Amicus Curiae." The motion represents that counsel for Appellant, Carol Lamoureux of the Law Office of Hernandez & Hamilton, PC "has offered to share her allotment of time with undersigned counsel."
IT IS ORDERED granting the motion. Counsel for Appellant Murray may cede part of the twenty (20) minutes allotted for appellant's oral argument to counsel for Arizona Attorneys for Criminal Justice to argue as amicus curiae. (Hon. Robert Brutinel)
19. 16-Sep-2020 BRIEF: Supplemental Brief of Petitioner (Appellant E. Murray, Pro Se)
20. 24-Sep-2020 FILED: Notice of Mailing (Appellant E. Murray, Pro Se)

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21. 24-Sep-2020 FILED: Remaining Record From CofA - PCSC
Easton Murray
ENVELOPES - 3 Manila Envs - (Env no 1 [Confidential History/Information]; Env No 2 [Grand Jury Transcript]; Env No 3 Jury Questions Submitted During Trial)
Claudius Murray
ENVELOPES - 4 Manila Envs - (Env no 1 [Confidential History/Information]; Env No 2 [Grand Jury Transcript]; Env No 3 Jury Questions Submitted During Trial]; Letter Submitted for Sentencing)
22. 28-Sep-2020 RECEIVED: Letter From Appellant Easton Murray Re: Oral Argument (Treated as Motion to Participate in Oral Argument)
23. 5-Oct-2020 On September 28, 2020, Appellant E. Murray filed a letter with the Court inquiring about the oral argument schedule in this case. To the extent the letter was intended to be a pro per motion by Appellant to personally participate in oral argument,
IT IS ORDERED denying the motion as moot in light of the October 5, 2020 notice of appearance filed by Appellant's counsel.
(Hon. Robert Brutinel)
24. 5-Oct-2020 FILED: Notice of Appearance for Oral Argument; Certificate of Service (Appellant E. Murray)
25. 6-Oct-2020 FILED: Notice of Supplemental Authority; Certificate of Service (Appellant E. Murray)
26. 15-Oct-2020 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Linley Wilson, Carol Lamoureux, Amy P Knight)