

Arizona Supreme Court
Criminal Death Penalty Appeal

CR-24-0065-AP

STATE OF ARIZONA v GUSTIN RAY WOODMAN, JR.

Appellate Case Information

Case Filed: 12-Mar-2024
 Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee
 (Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Vince H Imbordino, Esq. (AZ Bar No. 4291)
 Catherine M Ferguson-Gilbert, Esq. (AZ Bar No. 31326)
 Josh Maxwell, Esq. (AZ Bar No. 31585)

Side 2. GUSTIN RAY WOODMAN, JR., Appellant
 (Litigant Group) GUSTIN RAY WOODMAN, JR.

- Gustin Ray Woodman, Jr.

Attorneys for: Appellant

Bruce E Blumberg, Esq. (AZ Bar No. 10779)
 Daniela De La Torre, Esq. (AZ Bar No. 21690)

CASE STATUS

Mar 28, 2024....Stayed

Mar 12, 2024....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2020-104765-002	CONSPIRACY TO COMMIT ARMED ROBBERY-WITH DEADLY WPN; ARMED ROBBERY-WITH DEADLY WPN; MURDER 1ST DEG-DURING CRIME	DEATH	Roy C Whitehead, Trial	JURY	

5 PROCEEDING ENTRIES

- 12-Mar-2024 FILED: Notice of Appeal
- 22-Mar-2024 FILED: Affidavit Re: Non-Filing of Transcripts; in the Alternative, Request for Extension; (Copy of) Notice of Appeal Email (MCSC) [Tara Kramer]

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5 PROCEEDING ENTRIES

3. 28-Mar-2024 On February 27, 2024 (docketed on March 7, 2024), the superior court clerk filed the Notice of Appeal in this matter.
- On March 7, 2024 (docketed on March 12, 2024), Appellant Woodman, pursuant to Ariz. R. Crim. P. 24.1, filed a Motion for New Penalty Phase Trial.
- On March 12, 2024, the Clerk of the Court received the Notice of Appeal in this matter from the superior court clerk. Pursuant to Ariz. R. Crim. P. 31.2(e)(4), when the superior court clerk sends a notice of appeal to an appellate court, the clerk "must include a copy of any motion filed by a party under Rule 24 that the superior court has not yet decided."
- Therefore,
- IT IS ORDERED that the superior court clerk, pursuant to Ariz. R. Crim. P. 31.2(e)(4), immediately send copies of Appellant Woodman's Rule 24 Motion for New Penalty Phase Trial to the Attorney General and to the Supreme Court clerk.
- On March 22, 2024, certified court reporter Tara L. Kramer filed an Affidavit Re: Non-Filing of Transcripts; in the Alternative, Request for Extension informing the Court that because there is a pending Rule 24 motion, appellate counsel has not been appointed which is problematic to court reporters being paid for preparing the certified transcripts. Therefore, Ms. Kramer requests that the Court grant an extension of the due date for the preparation and filing of certified transcripts until the superior court's final ruling on the pending Rule 24 motion.
- Pursuant to Ariz. R. Crim. P. 31.2(b), the superior court clerk timely sent the required "noti[ce] [to] all assigned certified reporters. . . that they are required to transmit their portions of the certified transcripts to the Supreme Court clerk." See Ariz. R. Crim. P. 1.7(b), 1.10(a). Additionally, pursuant to the deadlines outlined in Ariz. R. Crim. P. 31.8(d)(1), 31.9(a), and 31.9(c)(1), certified reporters are required to file certified transcripts with the Supreme Court clerk "no later than 45 days after a notice of appeal is filed," absent the Court granting an extension pursuant to Ariz. R. Crim. P. 31.9(c)(2).
- Therefore, based on the foregoing, on the Court's own motion,
- IT IS ORDERED pursuant to Ariz. R. Crim. P. 31.3(b)(1) suspending this appeal pending the superior court's order granting or denying relief under Rule 24 and the Clerk of the Court's receipt of the notice required by Ariz. R. Crim. P. 31.3(b)(3).
- IT IS FURTHER ORDERED that the Clerk of the Court provide the notice required by Ariz. R. Crim. P. 31.3(b)(2).
- IT IS FURTHER ORDERED that upon entry of the superior court's order granting or denying relief on Appellant Woodman's Rule 24 motion, the Appellant comply with Ariz. R. Crim. P. 31.3(b)(3).
- IT IS FURTHER ORDERED that upon entry of the superior court's order granting or denying relief on Appellant Woodman's Rule 24 motion, the party seeking review of that order file the required amended notice of appeal in compliance with the requirements of Ariz. R. Crim. P. 31.2(h). (Hon. James P Beene)
4. 1-Apr-2024 FILED: (Copy of) Motion for New Penalty Phase Trial (Appellant Woodman)

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5 PROCEEDING ENTRIES

5. 11-Apr-2024 FILED: Record Fromm MCSC

Minutes and Instruments Electronic

EXHIBIT(S):

Grand Jury Transcript - Filed 03/02/2020 - 02/10/2020 - By Diane Donoho

HD 07/23/2021 - BOX 1 OF 5 - LIST # 1 2 3 4 5 6 7 8
9(SEALED) 10 11 12 13 14 IN MANILA ENVELOPE

HD 08/18/2022 - BOX 1 OF 5 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32
33 34 35 36 37 IN A BOX

HD 01/06/2023 - BOX 1 OF 5 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 IN
MANILA ENVELOPE

HD 07/20/2023 - BOX 1 OF 5 - LIST # 1 2 3 4 5 6 7 8 9 IN MANILA
ENVELOPE

EXHIBIT(S): HD 07/10/2023 - BOX 2 OF 5 - LIST # 22 23 24 25 26 27 28
29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 5253 54 55 56 57 58 59 60 61 62 63 64 66 69 71 72 73
74 75 76 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111
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287 288 292 296 297 299...

EXHIBIT(S): HD 07/10/2023 - CONTINUED - BOX 2 OF 5 - # 300 301 302
303 305 306 307 308 310 311 312 313 314 315 316 317 318 319 321 322 323 325 326 327 328 329 330 331 332 333 334 335
337 338 339 340 340.001 IN A BOX

HD 07/10/2023 - CONTINUED - BOX 2 OF 5 - CD'S - # 294 295 374 414
416 429 440 513 515 517 519 563 568 636 637 638 639 693 699 706 735.001 750 IN A BOX

EXHIBIT(S): HD 07/10/2023 - CONTINUED - BOX 3 OF 5 - # 340.002
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EXHIBIT(S): HD 07/10/2023 - CONTINUED - BOX 4 OF 5 - # 525 526 527
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586.001 587 588 589 590 591 592 594 595 596 597 598 600 602 603 604 605 608 608.001 609(SEALED) 610(SEALED) 611 613
614 616 617 617.001 623 624 630 631 632 633 634 635 640 641 642 643 644 645 646 647 648 649 650 651 652 653 655 656
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EXHIBIT(S): HD 07/10/2023 - CONTINUED - BOX 5 OF 5 - # 673 674
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698 700 701 703 704 705 707 708 709 710 711 712 713 714 715 716 717 718 719 720 723 724 725 726 727 728 730 731 732
733 734 736 737 738 739 740 742 743 744 745 746 747 748 752 753 754 IN A BOX