

# Court of Appeals, Division One

Criminal

**1 CA-CR 20-0514**

**STATE v. LAWLER**

## Appellate Case Information

Case Filed: 26-Oct-2020

Case Closed:

## Dept/Composition

### Department C

Hon. Randall M Howe  
Hon. Brian Y Furuya  
Hon. Michael J Brown

## Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

### Attorneys for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

## Side 2. JAY KENNETH LAWLER, Appellant

(Litigant Group) JAY KENNETH LAWLER

- Jay Kenneth Lawler

### Attorneys for: Appellant

Jill L Evans, Esq. (AZ Bar No. 15051)

## CASE STATUS

Aug 26, 2022....Stayed

Aug 18, 2021....Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MOH S8015CR201901412	See File	See File	Douglas Camacho, Sentencing	JURY	

## 44 PROCEEDING ENTRIES

1.	26-Oct-2020	FILED: Notice of Appeal from Mohave County Superior Court filed 10/20/20.
2.	26-Oct-2020	FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: 3 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 25 26 27 28 29 30
3.	2-Nov-2020	FILED: FILED: Additional Record on Appeal Exhibits: E5 - P - BSC1 E6-P-BSC2 E24 - P-MTA1
4.	9-Nov-2020	FILED: Courtesy Copy, Notice of Assignment from Mohave County Indigent Defense Services, dated 11/09/2020 re: appellant Jay Kenneth Lawler
5.	18-Nov-2020	FILED: Reporter's Transcript - 09/18/2020 - Jury Trial - Day 1 (Theresa Salsberry)
6.	18-Nov-2020	FILED: Reporter's Transcript - 09/21/2020 - Jury Trial - Day 2 (Theresa Salsberry)
7.	18-Nov-2020	FILED: Reporter's Transcript - 09/22/2020 - Jury Trial - Day 3 (Theresa Salsberry)
8.	18-Nov-2020	FILED: Reporter's Transcript - 09/23/2020 - Jury Trial - Final Day (Theresa Salsberry)
9.	18-Nov-2020	FILED: Reporter's Transcript - 10/19/2020 - Judgment and Sentencing Prison (Theresa Salsberry)
10.	27-Nov-2020	FILED: Notice of Completion of Record
11.	28-Dec-2020	FILED: Motion To Supplement The Record; Request For Extension Of Time To File Opening Brief; Certificate of Service (Appellant)
12.	8-Jan-2021	ORDERED: Motion To Supplement The Record (Appellant) = GRANTED. Kip Anderson and court reporters Theresa Salsberry and Diane S. Fayette transcripts due by 02/22/2021. FURTHER ORDERED: Request For Extension Of Time To File Opening Brief = GRANTED. Due date EXTENDED from Monday, 01-11-2021 to Wednesday, 03-24-2021. Benjamin A Armstrong ProTem Judge - Author
13.	8-Jan-2021	ORDERED: Motion To Supplement The Record (Motion to Unseal) (Appellant) = GRANTED. Upon presentation of this order, unsealing the the Confidential Criminal History Report, IOR 59, for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author

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14.	25-Jan-2021	FILED: Reporters Transcript - 12/12/2012 (Diane Fayette)
15.	10-Feb-2021	FILED: Reporter's Transcript - 10/31/2019 - Pretrial Conference (Theresa Salsberry)
16.	10-Feb-2021	FILED: Reporter's Transcript - 11/07/2019 - Status Conference (Theresa Salsberry)
17.	10-Feb-2021	FILED: Reporter's Transcript - 11/18/2019 - Settlement Conference (Theresa Salsberry)
18.	10-Feb-2021	FILED: Reporter's Transcript - 01/23/2020 - Status Conference (Theresa Salsberry)
19.	10-Feb-2021	FILED: Reporter's Transcript - 08/27/2020 - Final Management Conference (Theresa Salsberry)
20.	10-Feb-2021	FILED: Reporter's Transcript - 09/05/2019 - Arraignment (Theresa Salsberry)
21.	10-Feb-2021	FILED: Reporter's Transcript - 01/30/2020 - Status Conference (Theresa Salsberry)
22.	10-Feb-2021	FILED: Reporter's Transcript - 05/07/2020 - Status Conference (Theresa Salsberry)
23.	10-Feb-2021	FILED: Reporter's Transcript - 03/26/2020 - Status Conference (Theresa Salsberry)
24.	10-Feb-2021	FILED: Reporter's Transcript - 07/21/2020 - Hearing on Motion Regarding Release Conditions (Theresa Salsberry)
25.	10-Feb-2021	FILED: Reporter's Transcript - 08/13/2020 - Status Conference (Theresa Salsberry)
26.	24-Mar-2021	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
27.	29-Mar-2021	FILED: Notice of Appearance; Certificate of Service (Appellee)
28.	6-May-2021	FILED: Unopposed Motion for Procedural Order (First Extension for Answering Brief); Certificate of Service (Appellee)
29.	7-May-2021	ORDERED: Unopposed Motion for Procedural Order (First Extension for Answering Brief) (Appellee)= GRANTED. Due date EXTENDED from Monday, 05-10-2021 to Monday, 05-24-2021. Benjamin A Armstrong ProTem Judge - Author
30.	24-May-2021	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
31.	25-May-2021	FILED: Notice of Errata; Certificate of Service (Appellee)
32.	8-Jun-2021	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
33.	8-Jun-2021	FILED: Supplemented Superior Court e-Record with Revised Index of Record
34.	15-Jun-2021	FILED: Motion for Extension of Time (Accept Brief as Filed) (Reply Brief); Certificate of Service (Appellant)
35.	15-Jun-2021	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
36.	16-Jun-2021	ORDERED: Motion for Extension of Time (Accept Brief as Filed) (Reply Brief) (Appellant) = GRANTED. Due date EXTENDED from Monday, 06-14-2021 to Tuesday, 06-15-2021 and accepting the reply brief as filed. Benjamin A Armstrong ProTem Judge - Author
37.	21-Jun-2021	FILED: Notice of Errata; Certificate of Service; Amended Reply Brief (Appellant)
38.	23-Jun-2021	CLNDR: CONFERENCE, Department C, 8-18-21, COURTROOM 2.
39.	25-Jun-2021	ORDERED: Accepting the amended reply brief and replacing the original reply brief with the amended reply brief. Benjamin A Armstrong ProTem Judge - Author
40.	14-Sep-2021	ORDERED: That the parties prepare and submit supplemental briefs, not to exceed 3,000 words, on or before 10/04/2021. The supplemental brief shall be limited to whether Lawler's conduct involved one or more distinct offenses under State v. Moninger, No. 1 CA-CR 19-0353, 2021 WL 2327979, at *2 (Ariz. Ct. App. June 8, 2021). FURTHER ORDERED: The briefs shall be submitted simultaneously and no response or reply will be permitted absent further order of the Court. Hon Randall M Howe - Author
41.	1-Oct-2021	FILED: Appellant's Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellant)
42.	4-Oct-2021	FILED: Appellee's Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellee)
43.	9-Aug-2022	FILED: Notice of Change of Firm; Certificate of Service (Appellant)
44.	26-Aug-2022	ORDERED: Staying this appeal until further notice. After the supreme court issues its ruling in Moninger, this court will vacate the stay in this matter and issue its decision in due course. Hon Randall M Howe - Author

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