

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 22-0273**

**STATE v. ALVAREZ**

**Appellate Case Information**

Case Filed: 16-Jun-2022

Case Closed:

**Dept/Composition**

**Department B**

Hon. Jennifer M Perkins

Hon. Angela K Paton

Hon. D Steven Williams

**Side 1. STATE OF ARIZONA, Appellee**

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Appellee**

Casey Ball, Esq. (AZ Bar No. 34987)

**Side 2. JEFFREY ALVAREZ, Appellant**

(Litigant Group) JEFFREY ALVAREZ

- Jeffrey Alvarez

**Attorneys for: Appellant**

Aaron J Moskowitz, Esq. (AZ Bar No. 22246)

**Side 3. C. G., Crime Victim**

(Litigant Group) C. G.

- C. G.

**Attorneys for: Crime Victim**

Eric Aiken, Esq. (AZ Bar No. 32418)

**CASE STATUS**

Sep 13, 2023....Pending in ASC

**PREDECESSOR CASE(S)**

Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2019-003621-001 See File	See File	Suzanne E Cohen, Sentencing	JURY	

**DESCENDENT CASE(S)**

ASC CR-23-0197-PR

**CASE DECISION**

**13-Jul-2023 MEMORANDUM DECISION**

Angela Paton.....Author

Jennifer Perkins.....Concur

D Williams.....Concur

Filed: 13-Jul-2023

Mandate:

Decision Disposition

**Affirmed**

**62 PROCEEDING ENTRIES**

- 16-Jun-2022 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/09/22. Notification sent to Court Reporters dated 06/15/2022.
- 20-Jun-2022 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Michele Kaley, Luz Franco, Hope Yeager, Robin Bobbie, Wanda Bauer, and April Escobedo transcripts due by 08/04/2022. Benjamin A Armstrong ProTem Judge - Author
- 24-Jun-2022 FILED: Crime Victim's Notice of Appearance of Counsel and Assertion of Constitutional Rights; Certificate of Service - Crime Victim's Notice of Appearance of Counsel and Assertion of Constitutional Rights
- 5-Jul-2022 FILED: Reporter's Transcript - 03/31/2022 - Jury Voir Dire (Wanda Bauer)
- 6-Jul-2022 FILED: Designation of Record for Appeal (Appellant)
- 12-Jul-2022 FILED: Reporter's Transcript - 04/12/2022 - Trial (Michele Kaley)
- 12-Jul-2022 FILED: Reporter's Transcript - 04/13/2022 - Trial (Michele Kaley)
- 12-Jul-2022 FILED: Reporter's Transcript - 04/14/2022 - Trial (Michele Kaley)
- 12-Jul-2022 FILED: Reporter's Transcript - 06/09/2022 - Sentencing (Michele Kaley)

**Court of Appeals, Division One****Criminal****1 CA-CR 22-0273****STATE v. ALVAREZ****62 PROCEEDING ENTRIES**

10. 18-Jul-2022 FILED: ASC Order filed 07/18/2022 re: Petition for Review is deficient
11. 20-Jul-2022 FILED: Courtesy Copy - Amended Designation of Record for Appeal Filed in Superior Court (Appellant)
12. 22-Jul-2022 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 03/31/2022 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 20 21 22 23 24 25 26 28 29 30 32 33 34 35 36 37 38 39 40  
41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 70 71 72 73 74 75 76 78 79 80 81 82 83  
84 85 86 88 89 90 93 95 96 97 98 99 100 102 108 109 110 111 112 113 114 115 116 117 118 119 120 121 123 124 125 126 127  
128 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157  
158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 197 198 199 200 201 202 203 204 205 207 208 210  
211 218 220 221 222 225 226 240 242 243 244 247 248 249 250 251 252 253 254 255 256 in box  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope
13. 22-Jul-2022 ORDERED: Court Reporter Scott M Coniam transcripts dated 10/16/2019; 12/05/2019; 01/23/2020; 12/01/2020 due by 09/06/2022. FURTHER ORDERED: Court Reporter Wanda Bauer transcript dated 03/31/2022 due by 09/06/2022. FURTHER ORDERED: Ken Crenshaw transcripts dated 03/24/2022; 05/12/2021 due by 09/06/2022. FURTHER ORDERED: Court Reporter April Escobedo transcript dated 03/31/2022 due by 09/06/2022. FURTHER ORDERED: Court Reporter Luz Franco transcript dated 04/13/2022 due by 09/06/2022. FURTHER ORDERED: Court Reporter Michele Kaley transcripts dated 06/09/2022; 04/14/2022; 04/13/2022; 04/12/2022 due by 09/06/2022. FURTHER ORDERED: Court Reporter Patricia Kotarba transcript dated 02/05/2020 due by 09/06/2022. FURTHER ORDERED: Court Reporter Robin Lawlor transcripts dated 04/07/2022; 04/06/2022; 04/05/2022; 04/04/2022 due by 09/06/2022. FURTHER ORDERED: Court Reporter Kristyn Lobry transcript dated 02/28/2022 due by 09/06/2022. FURTHER ORDERED: Court Reporter Catherine Turner transcript dated 08/19/2020 due by 09/06/2022. Hon David B Gass - Author
14. 22-Jul-2022 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None sent with e-Record
15. 27-Jul-2022 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
16. 28-Jul-2022 FILED: Reporter's Transcript - 10/16/2019 (Scott Coniam)
17. 28-Jul-2022 FILED: Reporter's Transcript - 12/05/2019 (Scott Coniam)
18. 28-Jul-2022 FILED: Reporter's Transcript - 01/23/2020 (Scott Coniam)
19. 28-Jul-2022 FILED: Reporter's Transcript - 12/01/2020 (Scott Coniam)
20. 30-Jul-2022 FILED: Reporter's Transcript - 08/19/2020 - Final Trial Management Conference - (Catherine Turner)
21. 1-Aug-2022 ORDERED: Upon presentation of this order, unsealing the confidential Court Information Sheets (I.O.R. 2 and 11); the Random Jury Lists (I.O.R. 63 and 142); and the Jury Questionnaires (I.O.R. 157 and 158) for parties/agents on this appeal only. Benjamin A Armstrong ProTem Judge - Author
22. 9-Aug-2022 FILED: Reporter's Transcript - 04/04/2022 - Jury Trial Day 2 (Robin Lawlor)
23. 9-Aug-2022 FILED: Reporter's Transcript - 04/05/2022 - Jury Trial Day 3 (Robin Lawlor)
24. 9-Aug-2022 FILED: Reporter's Transcript - 04/06/2022 - Jury Trial Day 4 (Robin Lawlor)
25. 9-Aug-2022 FILED: Reporter's Transcript - 04/07/2022 - Jury Trial Day 5 (Robin Lawlor)
26. 10-Aug-2022 FILED: Reporter's Transcript - 2/28/2022 - Final Trial Management Conference (Kristyn Lobry)
27. 24-Aug-2022 ORDERED: Releasing to the Clerk of Maricopa County Superior Court, Exhibits 13, 14, 15, 225, 226 for use by David Garbarino, Judge, for the temporary use in the Superior Court. FURTHER ORDERED: That said items be returned - in an unaltered condition - to the Clerk of the Court of Appeals, Division One, not later than 10/03/2022. Amy M Wood - Author
28. 29-Aug-2022 FILED: Return of exhibits - Hearing Date: 03/31/2022 List # 13 14 15 225 226 in manila envelope
29. 29-Aug-2022 FILED: Reporter's Transcript - 05/12/2021 - Final Pretrial Management Conference (Kimberly McCright)
30. 29-Aug-2022 FILED: Reporter's Transcript - 03/24/2022 - Trial Assignment Calendar (Kimberly McCright)
31. 31-Aug-2022 FILED: Reporter's Transcript - 02/05/2020 - Final Trial Management Conference (Patricia Kotarba)
32. 5-Sep-2022 FILED: Reporter's Transcript - 03/31/2022 - Trial Day 1 AM (April Escobedo)

**Court of Appeals, Division One****Criminal****1 CA-CR 22-0273****STATE v. ALVAREZ****62 PROCEEDING ENTRIES**

33.	6-Sep-2022	FILED: Motion for Extension of Time (Time to File Transcripts)(Hope Yeager)
34.	7-Sep-2022	FILED: Reporter's Transcript - 04/13/2022 PM - Cont'g Closing Arguments (Luz Franco)
35.	9-Sep-2022	ORDERED: Court Reporter Hope Yeager set for OSC on 09/21/2022 for transcript dated 04/11/2022 Hon David B Gass - Author
36.	13-Sep-2022	ORDERED: Motion for Extension of Time (Time to File Transcripts)(Hope Yeager) = GRANTED. Due date EXTENDED from Tuesday, 09-06-2022 to Thursday, 10-06-2022 or OSC set for 10/19/2022. FURTHER ORDERED: Vacating the Order to Show Cause hearing on 09/21/2022 for Court Reporter Hope Yeager. Hon David B Gass - Author
37.	9-Oct-2022	FILED: Reporter's Transcript - 04/11/2022 - Trial - Day 6 (Hope J Yeager)
38.	11-Oct-2022	FILED: Notice of Completion of Record
39.	13-Oct-2022	FILED: Notice of Appearance; Certificate of Service (Appellant)
40.	17-Nov-2022	FILED: Motion for Extension of Time to File Appellant's Opening Brief; Certificate of Service (Appellant)
41.	22-Nov-2022	ORDERED: Motion for Extension of Time to File Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 11-25-2022 to Tuesday, 12-27-2022. Benjamin A Armstrong ProTem Judge - Author
42.	16-Dec-2022	FILED: Motion for Extension of Time to File Appellant's Opening Brief; Certificate of Service (Appellant)
43.	20-Dec-2022	ORDERED: Motion for Extension of Time to File Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 12-27-2022 to Thursday, 01-26-2023. Geoffrey P Butzine ProTem Judge - Author
44.	21-Dec-2022	FILED: Letter, dated 12/21/2022, to Appellant from Counsel re: Forwarding records on appeal (Appellant)
45.	20-Jan-2023	FILED: Motion for Extension of Time to File Appellant's Opening Brief; Certificate of Service (Appellant)
46.	23-Jan-2023	ORDERED: Motion for Extension of Time to File Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 01-26-2023 to Thursday, 02-09-2023. Benjamin A Armstrong ProTem Judge - Author
47.	9-Feb-2023	FILED: Appellant's Opening Brief; Certification of Compliance With Rule 31.12, ARCP; Certificate of Service (Appellant)
48.	14-Feb-2023	FILED: Notice of Appearance; Certificate of Service (Appellee)
49.	16-Mar-2023	FILED: Unopposed Motion For Procedural Order (Extension For Answering Brief); Certificate of Service (Appellee)
50.	20-Mar-2023	ORDERED: Unopposed Motion For Procedural Order (Extension For Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 03-21-2023 to Tuesday, 03-28-2023. Benjamin A Armstrong ProTem Judge - Author
51.	28-Mar-2023	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
52.	31-Mar-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
53.	4-Apr-2023	FILED: Motion for Extension of Time to File Appellant's Reply Brief; Certificate of Service (Appellant)
54.	6-Apr-2023	ORDERED: Motion for Extension of Time to File Appellant's Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-17-2023 to Monday, 05-08-2023. Benjamin A Armstrong ProTem Judge - Author
55.	10-Apr-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
56.	27-Apr-2023	CLNDR: CONFERENCE, Department B, 6-20-23, COURTROOM 1.
57.	8-May-2023	FILED: Appellant's Reply Brief; Certification of Compliance with Rule 31.12, ARCP; Certificate of Service (Appellant)
58.	13-Jul-2023	MEMORANDUM DECISION (Affirmed) Hon Angela K Paton - Author; Hon Jennifer M Perkins - Concur; Hon D Steven Williams - Concur
59.	13-Jul-2023	FILED: Memorandum Decision Distribution List
60.	8-Aug-2023	FILED: ASC Order filed 08/08/2023 re: extending time for filing Petition for Review to 09/13/2023; matter subject to dismissal if petition for review is not filed by 09/13/2023.
61.	14-Sep-2023	FILED: Email Notice from ASC re: Petition for Review filed 09/13/2023; request for partial record
62.	14-Sep-2023	FILED: Letter forwarding partial record to Arizona Supreme Court