

Court of Appeals, Division One

Criminal

1 CA-CR 22-0357

STATE v. RIGGS

Appellate Case Information

Case Filed: 16-Aug-2022

Case Closed:

Dept/Composition

Department F

Hon. Jennifer B Campbell
Hon. Kent E Cattani
Hon. Anni Hill Foster

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Eliza Ybarra, Esq. (AZ Bar No. 22395)

Side 2. JONATHAN DAVID RIGGS, Appellant

(Litigant Group) JONATHAN DAVID RIGGS

- Jonathan David Riggs

Attorneys for: Appellant

Angela Charlene Poliquin, Esq. (AZ Bar No. 23790)

CASE STATUS

Apr 11, 2024.....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2021-130342-001	Sexual Abuse, Class 5; Sexual Abuse, Class 5	10 Years, ADOC; 10 Years, ADOC	Melissa Zabor, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-23-0298-PR

OPEN DUE DATE

Stay request (re: Writ of Certiorari) due

Due By:

Wednesday, May 1, 2024

Re: Minute Letter of ASC: Petition for Review DENIED

CASE DECISION

31-Oct-2023 **MEMORANDUM DECISION**

Anni Foster.....Author

Jennifer Campbell.....Concur

Kent Cattani.....Concur

Filed: 31-Oct-2023

Mandate:

Decision Disposition

Affirmed

48 PROCEEDING ENTRIES

- 16-Aug-2022 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/12/22. Notification sent to Court Reporters dated 08/15/2022.
- 17-Aug-2022 FILED: Appellate Clerk Notice (31.2(g))
- 17-Aug-2022 FILED: Notice of Substitution of Law Firm; Certificate of Service re: Notice of Substitution of Law Firm (Appellant)
- 17-Aug-2022 ORDERED: Directing appellant to make arrangements with the court reporters to pay for the preparation of the transcripts by 09/15/2022. FURTHER ORDERED: Directing appellant to file a notice in this court by 09/26/2022 as to the arrangements made. If appellant fails to file a notice, the court will dismiss this appeal. FURTHER ORDERED: That, if applicable, appellant may file in the superior court a motion to proceed as indigent with a supporting affidavit as required by Rule 31.5(a)(2). Counsel John Gattermeyer must assist appellant with the request. Appellant must file a copy of the request in this court by 09/15/2022. Benjamin A Armstrong ProTem Judge - Author
- 13-Sep-2022 FILED: Notice of Filing; Certificate of Service Re: Notice of Filing; EXHIBIT A (Appellant)
- 14-Sep-2022 FILED: Affidavit Re: No Financial Arrangements
- 15-Sep-2022 FILED: Reporter's Affidavit No Financial Arrangements (Hope J Yeager)

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8. 20-Sep-2022 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 115
Exhibits: None sent with e-Record
9. 21-Sep-2022 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 05/02/2022 List # 1 3 4 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 34 35 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
10. 29-Sep-2022 FILED: Notice of Financial Arrangements; Certificate of Service re: Notice of Financial Arrangements; Order Declaring Defendant Indigent for Purposes of Transcript Preparation; Minute Entry (Appellant)
11. 3-Oct-2022 ORDERED: Accepting the untimely notice. FURTHER ORDERED: Court Reporters Catherine Turner, Hope Yeager and Ken Crenshaw transcripts due by 11/17/2022. Benjamin A Armstrong ProTem Judge - Author
12. 2-Nov-2022 FILED: Reporter's Transcript - 05/04/2022 - Trial (Catherine Turner)
13. 16-Nov-2022 FILED: Reporter's Transcript - 04/13/2022 - Final Trial Management Conference (Hope Yeager)
14. 16-Nov-2022 FILED: Motion for Extension of Time (Time to File Transcripts)(Hope Yeager)
15. 17-Nov-2022 ORDERED: Motion for Extension of Time (Time to File Transcripts)(Hope Yeager) = GRANTED. Due date EXTENDED from Thursday, 11-17-2022 to Monday, 12-19-2022 or OSC set for 12/21/2022. Hon David B Gass - Author
16. 21-Nov-2022 ORDERED: Ken Crenshaw transcripts dated 04/19/2022; 05/02/2022; 07/15/2022; 08/12/2022 due by 12/21/2022 or OSC set for 01/04/2023. Hon David B Gass - Author
17. 18-Dec-2022 FILED: Reporter's Transcript - 05/03/2022 - Trial Day 2- AMPM - (Hope J Yeager)
18. 2-Jan-2023 FILED: Motion to Extend Time to File Transcripts (Time to File Transcripts)(Ken Crenshaw)
19. 3-Jan-2023 ORDERED: Motion to Extend Time to File Transcripts (Time to File Transcripts)(Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 02/10/2023 for Transcripts dated 08/12/2022, 07/15/2022, 05/02/2022, 04/19/2022 or OSC set for 02/15/2023. FURTHER ORDERED: Vacating the Order to Show Cause hearing on 01/04/2023 for Ken Crenshaw. Hon David B Gass - Author
20. 6-Feb-2023 FILED: Reporter's Transcript - 04/19/2022 - Oral Argument (Brenda Clark)
21. 6-Feb-2023 FILED: Reporter's Transcript - 05/02/2022 - Jury Trial Day 1 (Brenda Clark)
22. 6-Feb-2023 FILED: Reporter's Transcript - 07/15/2022 - Sentencing Hearing Reset (Brenda Clark)
23. 6-Feb-2023 FILED: Reporter's Transcript - 08/12/2022 - Sentencing (Brenda Clark)
24. 15-Feb-2023 FILED: Notice of Completion of Record
25. 23-Mar-2023 FILED: Motion For Procedural Order To Extend Time To File Opening Brief; Certificate Of Service Re: Motion For Procedural Order To Extend Time To File Opening Brief (Appellant)
26. 27-Mar-2023 ORDERED: Motion For Procedural Order To Extend Time To File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-03-2023 to Wednesday, 05-03-2023. Geoffrey P Butzine ProTem Judge - Author
27. 2-May-2023 FILED: Second Motion for Procedural Order to Extend Time to File Opening Brief; Certificate of Service RE: Second Motion for Procedural Order to Extend Time to File Opening Brief (Appellant)
28. 3-May-2023 ORDERED: Second Motion for Procedural Order to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 05-03-2023 to Friday, 06-02-2023. FURTHER ORDERED: Attorneys Angela Charlene Poliquin and David Paul Lish OSC set on 06/07/2023. Benjamin A Armstrong ProTem Judge - Author
29. 1-Jun-2023 FILED: Motion for Procedural Order to Extend Time to File Opening Brief by One Day; Certificate of Service Re: Motion for Procedural Order to Extend Time to File Opening Brief by One Day (Appellant)
30. 2-Jun-2023 ORDERED: Motion for Procedural Order to Extend Time to File Opening Brief by One Day (Appellant) = GRANTED. Due date EXTENDED from Friday, 06-02-2023 to Monday, 06-05-2023. FURTHER ORDERED: OSC set for 06/07/2023, will take place unless appellant files the opening brief by 06/05/2023. Benjamin A Armstrong ProTem Judge - Author
31. 5-Jun-2023 FILED: Appellant's Opening Brief; Certificate Of Compliance Re: Opening Brief; Certificate Of Service Re: Appellant's Opening Brief (Appellant)

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32.	8-Jun-2023	FILED: Notice of Appearance; Certificate of Service (Appellee)
33.	10-Jul-2023	FILED: Unopposed Motion For Procedural Order (Extension For Answering Brief); Certificate of Service (Appellee)
34.	10-Jul-2023	ORDERED: Unopposed Motion For Procedural Order (Extension For Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 07-17-2023 to Wednesday, 08-16-2023. Geoffrey P Butzine ProTem Judge - Author
35.	10-Aug-2023	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
36.	14-Aug-2023	FILED: Motion for Procedural Order to Extend Time to File Reply Brief; Certificate of Service Re: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant)
37.	15-Aug-2023	ORDERED: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 08-30-2023 to Friday, 09-15-2023. Geoffrey P Butzine ProTem Judge - Author
38.	26-Aug-2023	CLNDR: CONFERENCE, Department F, 10-12-23, COURTROOM 2.
39.	29-Aug-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
40.	11-Sep-2023	FILED: Motion for Procedural Order to Extend Time to File Reply Brief; Certificate of Service Re: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant)
41.	13-Sep-2023	ORDERED: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant) = DENIED. Hon Jennifer B Campbell - Author
42.	15-Sep-2023	FILED: Appellant's Reply Brief; Certificate Of Compliance Re: Reply Brief; Certificate of Service Re: Appellant's Reply Brief (Appellant)
43.	15-Sep-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
44.	31-Oct-2023	MEMORANDUM DECISION (Affirmed) Hon Anni Hill Foster - Author; Hon Jennifer B Campbell - Concur; Hon Kent E Cattani - Concur
45.	31-Oct-2023	FILED: Memorandum Decision Distribution List
46.	1-Dec-2023	FILED: Email Notice from ASC re: Petition for Review filed 11/30/2023; request for partial record
47.	1-Dec-2023	FILED: Letter forwarding partial record to Arizona Supreme Court
48.	11-Apr-2024	FILED: Letter from ASC, 04/11/2024, re: Petition for Review DENIED on 04/11/2024