

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 22-0406**

**STATE v. SANCHEZ**

**Appellate Case Information**

Case Filed: 13-Sep-2022

Case Closed: 25-Apr-2024

**Decision**

**Dept/Composition**

**Department B**

Hon. Andrew M Jacobs  
Hon. Jennifer M Perkins  
Hon. David D Weinzwieg

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

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Appellee**

Tanja K Kelly, Esq. (AZ Bar No. 25205)

**Side 2. DAVID JACOB SANCHEZ, Appellant**

(Litigant Group) DAVID JACOB SANCHEZ

- David Jacob Sanchez

**Attorneys for: Appellant**

Sheri M Lauritano, Esq. (AZ Bar No. 16087)

**CASE STATUS**

Apr 25, 2024.....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2021-100229-001	Murder 2nd Degree, Class 1	20 Years, ADOC	Michael W Kemp, Sentencing	JURY	

**CASE DECISION**

**19-Mar-2024 MEMORANDUM DECISION**

Andrew Jacobs.....Author

Jennifer Perkins.....Concur

David Weinzwieg.....Concur

Filed: 19-Mar-2024

Mandate: 25-Apr-2024

Decision Disposition

**Affirmed**

**56 PROCEEDING ENTRIES**

- 13-Sep-2022 FILED: Notice of Appeal from Maricopa County Superior Court filed 09/06/22. Notification sent to Court Reporters dated 09/12/2022.
- 16-Sep-2022 FILED: Appellate Clerk Notice (31.2(g))
- 19-Sep-2022 ORDERED: Directing appellant to make arrangements with the court reporter(s) to pay for the preparation of the transcripts required by Rule 31.8(b)(1)(B) by 10/17/2022. FURTHER ORDERED: Directing appellant to file a notice in this court by 10/27/2022, as to the arrangements made for the transcripts. 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). If appellant files such a request, appellant must file a copy of the request in this court by 10/17/2022. Benjamin A Armstrong ProTem Judge - Author
- 17-Oct-2022 FILED: Reporter's Affidavit No Financial Arrangements (Hope Yeager)
- 20-Oct-2022 FILED: Record on Appeal: Combined Instruments/Minute Entries Disposition Report: #193, Filed 9/23/22 Exhibits: Not Sent with e-Record
- 20-Oct-2022 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Robin Lawlor, Scott Coniam, April Escobedo, Hope Yeager and Ken Crenshaw transcripts due by 12/05/2022. Benjamin A Armstrong ProTem Judge - Author

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**56 PROCEEDING ENTRIES**

7.	20-Oct-2022	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 05/10/2022 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 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 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 95 96 97 98 99 100 101 106 107 108 109 110 113 114 133 134 135 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 186 187 188 189 203 204 206 207 209 210 211 212 213 214 215 216 217 218 219 220 221 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope
8.	27-Oct-2022	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
9.	31-Oct-2022	ORDERED: Upon presentation of this order, unsealing the confidential Court Information Sheets (I.O.R. 3 and 10); the Random Jury List (I.O.R. 163); and the Presentence Supporting Documents Coversheet/Restitution Ledger Request (I.O.R. 178) for parties/agents in this appeal only. Benjamin A Armstrong ProTem Judge - Author
10.	4-Nov-2022	FILED: Reporter's Transcript - 09/06/2022 - Sentencing (Robin Lawlor)
11.	30-Nov-2022	FILED: Request for Extension of Time (Time to File Transcript)(Scott Coniam)
12.	30-Nov-2022	FILED: Reporter's Transcript - 05/23/2022 - Jury Trial (Scott Coniam)
13.	30-Nov-2022	FILED: Reporter's Transcript - 05/24/2022 - Jury Trial (Scott Coniam)
14.	1-Dec-2022	FILED: Reporter's Transcript - 05/09/2022 - Pretrial (Scott Coniam)
15.	2-Dec-2022	ORDERED: Request for Extension of Time (Time to File Transcript)(Scott Coniam) = GRANTED. Due Dates EXTENDED to 01/04/2023 for Transcripts dated 05/19/2022, 05/18/2022, 05/17/2022, 05/16/2022, 05/12/2022, 05/11/2022, 05/10/2022, 05/23/2022; 05/24/2022 or OSC set for 01/18/2023. Hon David B Gass - Author
16.	3-Dec-2022	FILED: Reporter's Transcript - 11/18/2021 - Oral Argument / Motion to Modify Release Conditions (Hope J Yeager)
17.	5-Dec-2022	FILED: Extension Request (Time to File Transcripts)(April Escobedo)
18.	7-Dec-2022	ORDERED: Extension Request (Time to File Transcripts)(April Escobedo) = GRANTED. Due date EXTENDED from Monday, 12-05-2022 to Wednesday, 01-04-2023 or OSC set for 01/18/2023. Hon David B Gass - Author
19.	9-Dec-2022	ORDERED: Ken Crenshaw transcripts dated 03/10/2022; 03/24/2022 due by 01/09/2023 or OSC set for 01/18/2023. Hon David B Gass - Author
20.	28-Dec-2022	FILED: Reporter's Transcript - 05/10/2022 - Jury Selection (Scott Coniam)
21.	28-Dec-2022	FILED: Reporter's Transcript - 05/11/2022 - Trial (Scott Coniam)
22.	28-Dec-2022	FILED: Reporter's Transcript - 05/12/2022 - Trial (Scott Coniam)
23.	5-Jan-2023	FILED: Reporter's Transcript - 05/18/2022 - Jury Trial (Scott Coniam)
24.	5-Jan-2023	FILED: Reporter's Transcript - 05/17/2022 - Jury Trial (Scott Coniam)
25.	5-Jan-2023	FILED: Reporter's Transcript - 05/16/2022 - Jury Trial (Scott Coniam)
26.	6-Jan-2023	FILED: Reporter's Transcript - 05/19/2022 - Jury Trial (Scott Coniam)
27.	17-Jan-2023	FILED: Reporter's Transcripts - 04/20/2022 - Trial Procedure Conference - April Escobedo
28.	17-Jan-2023	FILED: Motion for Extension of Time to File Transcripts (Ken Crenshaw)
29.	19-Jan-2023	ORDERED: Motion for Extension of Time to File Transcripts (Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 02/08/2023 for Transcripts dated 03/10/2022, 03/24/2022 or OSC set for 02/15/2023. FURTHER ORDERED: Vacating the Order to Show Cause hearing on 01/18/2023 for Ken Crenshaw. Hon David B Gass - Author
30.	14-Feb-2023	FILED: Motion for Extension of Time to File Transcripts (Ken Crenshaw)
31.	24-Feb-2023	ORDERED: Motion for Extension of Time to File Transcripts (Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 03/17/2023 for Transcripts dated 03/10/2022, 03/24/2022 or OSC set on 04/05/2023. FURTHER ORDERED: Vacating OSC set on 02/15/2022 [sic]. Hon David B Gass - Author
32.	27-Feb-2023	AMENDED ORDER: Motion for Extension of Time to File Transcripts (Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 03/17/2023 for Transcripts dated 03/10/2022, 03/24/2022 or OSC set on 04/05/2023. FURTHER ORDERED: Vacating OSC set on 02/15/2023. Hon David B Gass - Author

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33.	4-Apr-2023	FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw)
34.	5-Apr-2023	ORDERED: Ken Crenshaw Motion to Extend Time to File Transcripts = GRANTED. Due Dates EXTENDED to 04/17/2023 for Transcripts dated 03/10/2022, 03/24/2022 or OSC set on 04/19/2023. FURTHER ORDERED: Vacating the show cause hearing scheduled for April 5, 2023, in the above-referenced matter. Hon David B Gass - Author
35.	17-Apr-2023	FILED: Reporter's Transcript - 03/10/2022 - Final Trial Management Conference (Jan Penfield)
36.	17-Apr-2023	FILED: Reporter's Transcript - 03/24/2022 - Trial Assignment (Jan Penfield)
37.	17-Apr-2023	FILED: Notice of Completion of Record
38.	19-Apr-2023	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
39.	25-Apr-2023	ORDERED: Motion to Withdraw (Appellant) = GRANTED. FURTHER ORDERED: Motion to Substitute New Counsel = GRANTED and appointing Sheri Lauritano as attorney for appellant in this appeal. FURTHER ORDERED: Maricopa County Public Defender must immediately forward all files, records, transcripts, and other documents this appeal to newly-appointed counsel. FURTHER ORDERED: Motion to Extend Opening Brief Due Date = GRANTED. Due date EXTENDED from Thursday, 06-01-2023 to Monday, 07-17-2023. Benjamin A Armstrong ProTem Judge - Author
40.	14-Jul-2023	FILED: Appellant's Motion to Extend Time to File Opening Brief; Appellant's Certificate of Service for Motion to Extend Time to File Opening Brief (Appellant)
41.	17-Jul-2023	ORDERED: Appellant's Motion to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-17-2023 to Wednesday, 08-16-2023. Benjamin A Armstrong ProTem Judge - Author
42.	10-Aug-2023	FILED: Appellant's Motion to Extend Time to File Opening Brief; Appellant's Certificate of Service for Motion to Extend Time to File Opening Brief (Appellant)
43.	10-Aug-2023	ORDERED: Appellant's Motion to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 08-16-2023 to Friday, 09-15-2023 or OSC set on 09/20/2023. Benjamin A Armstrong ProTem Judge - Author
44.	14-Sep-2023	FILED: Appellant's Opening Brief; Appellant's Opening Brief Certificate Of Compliance; Appellant's Opening Brief Affidavit Of Service (Appellant)
45.	15-Sep-2023	FILED: Notice of Appearance; Certificate of Service (Appellee)
46.	18-Oct-2023	FILED: Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
47.	18-Oct-2023	ORDERED: Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 10-24-2023 to Friday, 11-24-2023. Benjamin A Armstrong ProTem Judge - Author
48.	21-Nov-2023	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
49.	28-Nov-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
50.	8-Dec-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
51.	9-Feb-2024	CLNDR: CONFERENCE, Department B, 2-13-24, CONFERENCE ROOM.
52.	19-Mar-2024	MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Jennifer M Perkins - Concur; Hon David D Weinzwelg - Concur
53.	19-Mar-2024	FILED: Decision Distribution Notification
54.	5-Apr-2024	FILED: Courtesy Copy - Notice Requesting Post-Conviction Relief
55.	25-Apr-2024	FILED: Mandate, Physical record to clerk, Maricopa County Superior Court.
56.	25-Apr-2024	FILED: Letter dated 04/25/2024, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report