

Court of Appeals, Division One

Criminal

1 CA-CR 23-0041

STATE v. LOZANO

Appellate Case Information

Case Filed: 7-Feb-2023

Case Closed:

Dept/Composition

Department C

Hon. Paul J McMurdie
Hon. Maria Elena Cruz
Hon. Cynthia J Bailey

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Rebecca Jones, Esq. (AZ Bar No. 28996)

Side 2. GUSTAVO MORALES LOZANO, Appellant

(Litigant Group) GUSTAVO MORALES LOZANO

- Gustavo Morales Lozano

Attorneys for: Appellant

Stephen M Johnson, Esq. (AZ Bar No. 15831)

CASE STATUS

Mar 25, 2024....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2020-143082-001	See File	See File	Jo Lynn Gentry, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-24-0086-PR

CASE DECISION

22-Feb-2024 MEMORANDUM DECISION

Paul McMurdie.....Author
Maria Cruz.....Concur
Cynthia Bailey.....Concur

Filed: 22-Feb-2024

Mandate:

Decision Disposition

Affirmed

38 PROCEEDING ENTRIES

- 7-Feb-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 02/02/23. Notification sent to Court Reporters dated 02/06/2023.
- 15-Feb-2023 FILED: Appellate Clerk Notice (31.2(g))
- 6-Mar-2023 FILED: Affidavit RE Minute Entry Correction and Non Satisfactory Payment Arrangements (Tara L. Kramer); 2/8/23 Minute Entry Correction; Motion to Withdraw by Defense Counsel
- 10-Mar-2023 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Directing court reporters Tara Kramer, Kristyn Lobry, April Escobedo, and Kristine Mayo to prepare, and Ken Crenshaw to make arrangements for the preparation of transcripts due by 04/24/2023. Benjamin A Armstrong ProTem Judge - Author
- 14-Mar-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
- 15-Mar-2023 FILED: Reporter's Transcript - 10/27/2022 - Trial Day 5 (Kristyn L. Lobry)
- 15-Mar-2023 FILED: Reporter's Transcript - 11/01/2022 - Trial Day 6 (Kristyn L. Lobry)
- 15-Mar-2023 FILED: Reporter's Transcript - 11/02/2022 - Trial Day 7 (Kristyn L. Lobry)
- 15-Mar-2023 FILED: Reporter's Transcript - 10/19/2022 - Trial Day 1 (Kristyn L. Lobry)
- 15-Mar-2023 FILED: Reporter's Transcript - 10/20/2022 - Trial Day 2 (Kristyn L. Lobry)
- 15-Mar-2023 FILED: Reporter's Transcript - 10/25/2022 - Trial Day 3 (Kristyn L. Lobry)

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12.	17-Mar-2023	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 10/19/2022 - LIST # 6 8 16 17 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope
13.	17-Mar-2023	FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 165 Exhibits: None sent with e-Record
14.	22-Mar-2023	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
15.	28-Mar-2023	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 4 and 17); the Rule 2.3 Victim Identifier Information Form (I.O.R. 8); The Medical Reports of Dr. M. David McGrady dated May 18, 2021 and May 19, 2021 (I.O.R. 40 and 41); the Random Jury List (I.O.R. 88); the Jury Questionnaires (I.O.R. 110, 111, 112, 113, 114, 115 and 116); and the Victim Information Sheets for Lifetime No-Contact Injunctions (I.O.R. 157, 158 and 159) for parties/agents on this appeal only. Benjamin A Armstrong ProTem Judge - Author
16.	4-Apr-2023	FILED: Reporter's Transcript - 02/02/2023 - Sentencing (Tara L. Kramer)
17.	13-Apr-2023	FILED: Reporter's Transcripts - 07/15/2022 - Evidentiary Hearing - (Kristine Mayo)
18.	21-Apr-2023	FILED: Extension Request (Time to File Transcripts) (April Escobedo)
19.	24-Apr-2023	ORDERED: Extension Request (Time to File Transcripts) (April Escobedo) = GRANTED. Due date EXTENDED from Monday, 04-24-2023 to Wednesday, 05-24-2023 (Transcript for 10/26/2022 by Reporter April M Escobedo) or OSC set on 06/07/2023. Hon David B Gass - Author
20.	5-Jun-2023	FILED: Reporter's Transcripts - 10/26/2022 - Trial - Day 4 (April Escobedo)
21.	6-Jun-2023	FILED: Notice of Completion of Record
22.	12-Jun-2023	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
23.	19-Jun-2023	ORDERED: Motion To Withdraw And Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Stephen Johnson as attorney for appellant in this appeal. FURTHER ORDERED: Maricopa County Public Defender must immediately forward all files, records, transcripts, and other documents that relate to this appeal to newly-appointed counsel. FURTHER ORDERED: Motion To Extend Opening Brief Due Date (Appellant) = GRANTED. Due date EXTENDED from Friday, 07-21-2023 to Monday, 09-04-2023. Benjamin A Armstrong ProTem Judge - Author
24.	10-Sep-2023	FILED: Request for Extension of Time to File Opening Brief (My First Request); Certificate of Service (Appellant)
25.	11-Sep-2023	ORDERED: Request for Extension of Time to File Opening Brief (My First Request) (Appellant) = GRANTED. Due date EXTENDED from Monday, 09-04-2023 to Thursday, 10-05-2023. Benjamin A Armstrong ProTem Judge - Author
26.	5-Oct-2023	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
27.	12-Oct-2023	FILED: Notice of Appearance; Certificate of Service (Appellee)
28.	8-Nov-2023	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
29.	28-Nov-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
30.	28-Nov-2023	FILED: Request for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
31.	29-Nov-2023	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
32.	29-Nov-2023	ORDERED: Granting the motion to extend the time to file the reply brief, and accepting the reply brief filed on 11/29/2023. Benjamin A Armstrong ProTem Judge - Author
33.	8-Dec-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
34.	21-Dec-2023	CLNDR: CONFERENCE, Department C, 2-14-24, COURTROOM 1.
35.	22-Feb-2024	MEMORANDUM DECISION (Affirmed) Hon Paul J McMurdie - Author; Hon Maria Elena Cruz - Concur; Hon Cynthia J Bailey - Concur
36.	22-Feb-2024	FILED: Decision Distribution Notification

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38 PROCEEDING ENTRIES

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| 37. | 25-Mar-2024 | FILED: Email Notice from ASC re: Petition for Review filed 03/25/2024; request for partial record |
| 38. | 26-Mar-2024 | FILED: Letter forwarding partial record to Arizona Supreme Court |