Court of Appeals, Division One

Criminal

CA-CR 23-0066

STATE v. WAGNER

Appellate Case Information

Case Filed: 23-Feb-2023

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

Attorneys for: Appellee State of Arizona

Dennis M McGrane, Esq. (AZ Bar No. 15186)

Side 2. JERAMYA KEENAN WAGNER, Appellant

(Litigant Group) JERAMYA KEENAN WAGNER

Attorney for: Appellant Jeramya Keenan Wagner

Kyle Green, Esq. (AZ Bar No. 26253)

CASE STATUS

Dec 11, 2023....Stayed (until 10/7/24)

Mar 24, 2023.... Record Complete-Notice Completion Sent

Cause/Charge/Class PREDECESSOR CASE(S) Judgment/Sentence Judge, Role < Comments> Trial Dispo V1300CR202180664 See File See File Thomas K Kelly, Sentencing **JURY**

Court Ordered Document due Due By: Friday, October 4, 2024

Re: * ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a

Opening Brief Due Due By: Wednesday, November 6, 2024

Re: FILED: Notice of Completion of Record [2 extensions]

CALENDAR

MOTION CALENDAR Friday

19-Apr-2024 Department M;

File date: 4/12/2024......Motion Requesting Continued Stay of Appeal (Appellant)

DECISION RENDERED: See proceeding entry for ORDER dated 22-Apr-2024 for more information...

33 PROCEEDING ENTRIES 23-Feb-2023 FILED: Notice of Appeal from Yavapai County Superior Court filed 02/06/23. Notification sent to Court Reporters dated 02/09/2023. 27-Feb-2023 FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 05/27/2022 List #41 (CD) in manila envelope 3-Mar-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 46, 106 Exhibits: Hearing Date: 05/26/2022 List # 1 2 3 14 16 17 6-Mar-2023 FILED: Appellate Clerk Notice (31.2(g)) 22-Mar-2023 FILED: Memorandum: Technical Issues Impacting Electronic Filing (A. Wood) 22-Mar-2023 FILED: Reporter's Transcript - 05/25/2022 - Transcript of Pretrial Conference Jury Trial Day One - AM (Debra K. Upham) 22-Mar-2023 FILED: Reporter's Transcript - 12/28/2022 - Time Set for Sentencing and Oral Argument (Debra K. Upham) 23-Mar-2023 FILED: Reporter's Transcript - 05/25/2022 - Jury Trial-Day 1 (Carol Dillon)

Court of Appeals, Division One

Criminal

13. 24-May-2023 FILED: Notice of Completion of Record 14. 9-May-2023 FILED: Motion Requesting Production of Transcript; Certificate of Service (Appellant) 15. 9-May-2023 FILED: Motion Requesting Stay of Appeal: Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Cornviction Relief or Sixy-Days (Appelant) 17. 16-May-2023 PILED: Motion Requesting Stay of Appeal: Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Cornviction Relief for Sixy-Days (Appelant) 18. 17-May-2023 ORDERED: Motion for Extension of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTem Judge - Author 19. 17-May-2023 PILED: Appellant's motion to Suspend Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 20. 22-May-2023 PILED: Reporter's Transcript: 05/27/2022 - Jury Trial Day Three of Fire (Debra K. Upham) 21. 22-May-2023 PILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 22. 24-May-2023 PILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023, On 07/24/2023, the stay will be automatically litted unless before then appellant files a notice of disposition, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER ORDERED: Directing the Clerk of the Yavapal Courtly Superior Court to transmit to this court a certified copy of any order entered as a report of the Rule 32 proceedings within 5 days after the other. Purchased Protein Appellant Service (Appellant) 90/22/2023 On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay. or a motion for rehearing in the superior court.	1	CA-CR 23	-0066 STATE v. WAGNER
10. 23-Mar-2023 FILED: Reporter's Transcript - 06/01/2022 - Jury Trial-Day 4 (Carol Dillon) 11. 23-Mar-2023 FILED: Reporter's Transcript - 06/01/2023 - Judgment of Guilt and Sentencing (Carol Dillon) 12. 23-Mar-2023 FILED: Notice of Completion of Record 14. 9-May-2023 FILED: Motion Requesting Production of Transcript; Certificate of Service (Appellant) 15. 9-May-2023 FILED: Motion for Extension of Time for Filing Opening Brief; Certificate of Service (Appellant) 16. 12-May-2023 FILED: Motion for Extension of Time for Filing Opening Brief; Certificate of Service (Appellant) 17. 16-May-2023 FILED: Motion for Extension of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTem Judge - Author 18. 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of SE7722 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 19. 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of SE7722 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 19. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 20. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 FILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to continue the stay. or a motion for releasing in the suspence court. FURT HER RORERED: Directing the Clerk of the proceedings within 5 days et after its entry. FURTHER RORERED: Extending the time of file the opening brief from 07/14/2023, to 98/23/23/23. Benjamin A Armstrong ProTem Judge - Author 21. 3-Jul-2023 Replamin A Armstrong ProTem Judge - Author on 98/23/2023. On 098/25/2031 the stay will be auto	33 PROCEEDING ENTRIES		
FILED: Reporter's Transcript - 02/01/2023 - Judgment of Guilt and Sentencing (Carol Dillon) 2 3-Mar-2023 FILED: Notice of Completion of Record 14. 9-May-2023 FILED: Motion Requesting Production of Transcript; Certificate of Service (Appellant) 15. 9-May-2023 FILED: Motion Requesting Stay of Appeal, Certificate of Service (Appellant) 16. 12-May-2023 FILED: Motion Requesting Stay of Appeal, Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Conviction Related for Sixty-Days (Appellant) 17. 18-May-2023 FILED: Motion Requesting Stay of Appeal, Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Conviction Related for Sixty-Days (Appellant) 18. 17-May-2023 FILED: Motion Requesting of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 06-15-2021 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTerm Judge - Author 19. 17-May-2023 FILED: Motion Requesting Production of Transcript (Appellant) = GRANTED and directing Debra Upham to file the transcript of S727/22 by 6/15/23. Benjamin A Armstrong ProTerm Judge - Author 20. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 22. 24-May-2023 FILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript or S727/202 by 6/15/23. Benjamin A Armstrong ProTerm Judge - Author 22. 13-Jul-2023 FILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 09/22/2023. Benjamin A Armstrong ProTerm Judge - Author 23. 17-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. Benjamin A Armstrong ProTerm Judge - Author 24. 1-Sep-2023 Replace File Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal un	9.	23-Mar-2023	FILED: Reporter's Transcript - 05/26/2022 - Jury Trial-Day 2 (Carol Dillon)
12. 23-Mar-2023 FILED: Reporter's Transcript - 06/02/2022 - Juny Trial-Day 5 (Carol Dillon) 13. 24-Mar-2023 FILED: Notice of Completion of Record 14. 9-May-2023 FILED: Motion Requesting Production of Transcript; Certificate of Service (Appellant) 15. 9-May-2023 FILED: Motion Requesting Production of Transcript; Certificate of Service (Appellant) 16. 12-May-2023 FILED: Motion for Extension of Time for Filing Opening Brief; Certificate of Service (Appellant) 17. 16-May-2023 GNDERED: Motion for Extension of Time for Filing Opening Brief (Appellant) = GRANTED Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTem Judge - Author 18. 17-May-2023 GNDERED: Motion Requesting Production of Transcript (Appellant) = GRANTED Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTem Judge - Author 19. 17-May-2023 ORDERED: Motion Requesting Production of Transcript (Appellant) = GRANTED and directing Debra Upham to file the transcript of \$2/77/22 by 61/62/3. Benjamin A Armstrong ProTem Judge - Author 20. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023, 0n 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay or a motion for reheating in the superior court. EurHTHER ORDERED: Greeting the Clerk of the Yavapai Courtly Superior Court to transmit to this court a certificate of Service (Appellant) 22. 13-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 07/21/2023, to 08/22/2023, 0n 08/22/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to commiss the appeal and transcript of the Fulls 22	10.	23-Mar-2023	FILED: Reporter's Transcript - 06/01/2022 - Jury Trial-Day 4 (Carol Dillon)
13. 24-May-2023 FILED: Notice of Completion of Record 14. 9-May-2023 FILED: Motion Requesting Production of Transcript, Certificate of Service (Appellant) 15. 9-May-2023 FILED: Motion Requesting Stay of Appeal, Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Conviction Relief for Suky-Days (Appellant) 17. 16-May-2023 RILED: Motion Requesting Stay of Appeal, Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Conviction Relief for Suky-Days (Appellant) 18. 17-May-2023 RILED: Motion for Extension of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTem Judge - Author 19. 17-May-2023 PILED: Appellant's motion to Suspend Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 20. 22-May-2023 PILED: Reporter's Transcript - 09/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 PILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 22. 24-May-2023 PILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023, no 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER ORDERED: Directing the Clerk of the Yavapai Courtly Superior Court to transmit to this court a certified copy of any other element day a right of the Rule 32 proceedings within 5 days after its entiry. FURTHER ORDERED: Extending the time to file the opening brief from 07/14/2023, to 08/23/2023. Benjamin A Armstrong ProTem Judge - Author 22. 17-Jul-2023 RORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/20	11.	23-Mar-2023	FILED: Reporter's Transcript - 02/01/2023 - Judgment of Guilt and Sentencing (Carol Dillon)
 9-May-2023 FILED: Motion Requesting Production of Transcript; Certificate of Service (Appellant) 12-May-2023 FILED: Motion Requesting Stay of Appeal; Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Conviction Relief for Sixty-Days (Appellant) 16-May-2023 ORDERED: Motion for Extension of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTem Judge - Author 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant) Pro Per) 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant) Pro Per) 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of Sy27/22 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 23-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 24-May-2023 FILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying that is appeal until 07/21/2023. On 05/202/2023. Benjamin to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Extending the time to file the opening brief from 07/14/2023, to 05/202/203. On 05/202/203. The stay will be automatically lifet unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a moti	12.	23-Mar-2023	FILED: Reporter's Transcript - 06/02/2022 - Jury Trial-Day 5 (Carol Dillon)
 9-May-2023 FILED: Motion for Extension of Time for Filing Opening Brief, Certificate of Service (Appellant) 12-May-2023 FILED: Motion Requesting Stay of Appeal; Certificate of Service, Order Re: Motion to Extend Time for Filing Petition for Post-Conviction Relief for Sixty-Days (Appellant) 17-May-2023 ORDERD: Motion for Extension of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armatirong ProTem Judge - Author 18-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/220 by 61/5/23. Benjamin A Armatirong ProTem Judge - Author 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 22-May-2023 ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay or a motion for rehearing in the superior court. FurthER RORDERED: Directing the Clerk of the Yavapal County Superior Court to transmit to this court a certifled copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FurthER RORDERED: Extending the time to file the opening brief from 07/14/2023, to proceedings within 5 days after its entry. FurthER RORDERED: Extending the time to file the opening brief from 07/14/2023. To 09/25/2023. The stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay or a motion for rehearing in the superior court. The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapal County Superior Court to transmit to this court a	13.	24-Mar-2023	FILED: Notice of Completion of Record
16. May-2023 FILED: Motion Requesting Stay of Appeal; Certificate of Service; Order Re: Motion to Extend Time for Filing Petition for Post-Conviction Relief for Stxty-Days (Appellant) 17. May-2023 ORDERED: Motion Requesting of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin A Armstrong ProTern Judge - Author 18. 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant Pro Per) 19. 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant Pro Per) 19. 22-May-2023 FILED: Appellant's motion for Transcript (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 6/15/23. Benjamin A Armstrong ProTern Judge - Author 20. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER ORDERED: Directing the Clerk of the Yavapal Courty Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Lettending the time to file the opening brief from 07/14/2023, to 08/23/2023. Benjamin A Armstrong ProTern Judge - Author 22. 13-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Cler	14.	9-May-2023	FILED: Motion Requesting Production of Transcript; Certificate of Service (Appellant)
17. 16-May-2023 ORDERED: Motion for Extension of Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Benjamin Armstrong ProTem Judge - Author 18. 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant Pro Per) 19. 17-May-2023 ORDERED: Motion Requesting Production of Transcript (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 01/5/23. Benjamin A Armstrong ProTem Judge - Author 20. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and daying this appeal until 07/21/2023, 0n 07/24/2023, the stay will be automatically littled unless before then appellant files a notice of disposition, a motion to dismise the appeal, a motion to continue the lent), or a notion for rebeating in the superior court FURTHER ORDERED: Directing the Clork of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Extending the time to file the opening brief from 07/14/2023, to 08/23/2023. Benjamin A Armstrong ProTem Judge - Author 22. 13-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the "Avapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Opening brief must be filed by 10/25/2023. This deadline will be	15.	9-May-2023	FILED: Motion for Extension of Time for Filing Opening Brief; Certificate of Service (Appellant)
16. 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant Pro Per) 17-May-2023 FILED: Appellant's motion to Suspend Appeal (Appellant Pro Per) 18. 17-May-2023 ORDERED: Motion Requesting Production of Transcript (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 6/16/23. Benjamin A Armstrong ProTem Judge - Author 20. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 FILED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER RP ROBERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER (ROBERED: Extending the time to file the opening brief from 07/14/2023, to 08/23/2023. Benjamin A Armstrong ProTem Judge - Author 22. 13-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continued the stay, or a motion for reheating in the superior court. The court does not express an opinion on the merits of the pending Rule 52 proceeding. FURTHER ORDERED: Instead the stay is continued. Benjamin A Armstrong ProTem Judge - Author 24. 1-Sep-2023 ORDERED: Application of the stay of Appeal (Appellant Pro Per) = DENIED. FURTHER ORDERED: Advising appellant the court previously granted appellant's motion to Suspend Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 12/04/2023. On 12/05/2023, the stay will be automatically lifted unless b	16.	12-May-2023	
19. 17-May-2023 ORDERED: Motion Requesting Production of Transcript (Appellant) = GRANTED and directing Debra Upham to file the transcript of 5/27/22 by 6/15/23. Benjamin A Armstrong ProTem Judge - Author 20. 22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 21. 22-May-2023 ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 07/24/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to clismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Extending the time to file the opening brief from 07/14/2023, to 89/23/2023. Benjamin A Armstrong ProTem Judge - Author 22. 13-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceeding within 5 days after its entry. FURTHER ORDERED: Opening brief must be filed by 10/25/2023. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author 24. 1-Sep-2023 ORDERED: Appellant's motion to Suspend Appeal (Appellant Pro Per) = DENIED. FURTHER ORDERED: Advising appellant the court previously granted appellant's courses's 60/12/2023, motion to stay this appeal	17.	16-May-2023	
22-May-2023 FILED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 22-May-2023 PRIED: Reporter's Transcript - 05/27/2022 - Jury Trial Day Three of Five (Debra K. Upham) 22-May-2023 ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. On 07/24/2023, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Extending the time to file the opening brief from 07/14/2023, to 08/23/2023. Benjamin A Armstrong ProTem Judge - Author 23. 17-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal; Certificate of Service (Appellant) 24. 17-Jul-2025 ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. The court does not express an opinion on the merits of the pending Rule 32 proceeding. PURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Opening prief must be filed by 10/25/2023. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author 24. 1-Sep-2023 ORDERED: Appellant's motion to Suspend Appeal (Appellant) Pro Per) = DENIED. FURTHER ORDERED: Advising appellant the court previously granted appellant's sounsels 05/12/2023, motion to stay this appeal as well as coursels 05/13/2023, motion to stay this appeal as well as coursels of 05/13/2023. The court does not express an opinion o	18.	17-May-2023	FILED: Appellant's motion to Suspend Appeal (Appellant Pro Per)
 22-May-2023 ORDERED: Motion Requesting Stay of Appeal (Appellant) = GRANTED and staying this appeal until 07/21/2023. The stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER ORDERED: Directing the Clerk of the Yavapal County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Extending the time to file the opening brief from 07/14/2023, to 08/23/2023. Benjamin A Armstrong ProTerm Judge - Author 17-Jul-2023 FILED: Motion Requesting Continued Stay of Appeal; Certificate of Service (Appellant) 17-Jul-2023 ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. The court does not express an opinion on the merits of the pending Rule 32 proceeding, FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Opening brief must be filed by 10/25/2023. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author 24. 1-Sep-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant Pro Per) = DENIED, FURTHER ORDERED: Advising appellant the court previously granted appellant's counsei's 05/12/2023, motion to stay this appeal as well as counsel's 07/13/2023, motion to continue the stay. Accordingly, the matter has been stayed until 09/22/2023. Benjamin A Armstrong ProTem Judge - Author 22-Sep-2023 FILED: Motion Requesting Continued Stay o	19.	17-May-2023	
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 23. 17-Jul-2023 ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/22/2023. On 09/25/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. The court does not express an opinion on the merits of the pending Rule 32 proceeding. FurlHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Opening brief must be filed by 10/25/2023. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author 24. 1-Sep-2023 ORDERED: Appellant's motion to Suspend Appeal (Appellant Pro Per) = DENIED. FURTHER ORDERED: Advising appellant the court previously granted appellant's counsel's 05/12/2023, motion to stay this appeal as well as counsel's 07/13/2023, motion to continue the stay. Accordingly, the matter has been stayed until 09/22/2023. Benjamin A Armstrong ProTem Judge - Author 25. 22-Sep-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 12/04/2023. On 12/05/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court pursuant to Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Opening brief is due by 01/04/2024. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author 27. 4-Dec-2023 FILED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and contin	21.	22-May-2023	the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal, a motion to continue the stay, or a motion for rehearing in the superior court. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Extending the time to file the opening brief from 07/14/2023, to
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 5-Oct-2023 ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 12/04/2023. On 12/05/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court pursuant to Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Opening brief is due by 01/04/2024. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author 4-Dec-2023 FILED: Motion Requesting Continued Stay of Appeal; Certificate of Service (Appellant) ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 02/09/2024. On 02/12/2024, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court pursuant to Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered 			
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28. 11-Dec-2023 ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 02/09/2024. On 02/12/2024, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court pursuant to Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered	26.	5-Oct-2023	12/04/2023. On 12/05/2023, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court pursuant to Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: Opening brief is due by 01/04/2024.
02/09/2024. On 02/12/2024, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court pursuant to Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered	27.	4-Dec-2023	FILED: Motion Requesting Continued Stay of Appeal; Certificate of Service (Appellant)
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29. 7-Feb-2024 FILED: Motion Requesting Continued Stay of Appeal; Certificate of Service (Appellant)	29.	7-Feb-2024	FILED: Motion Requesting Continued Stay of Appeal; Certificate of Service (Appellant)

Court of Appeals, Division One

Criminal

1 CA-CR 23-0066 STATE v. WAGNER

33 PROCEEDING ENTRIES ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 30 12-Feb-2024 04/12/2024. On 04/15/2024, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court pursuant to Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: The opening brief is due by 05/15/2024. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author 31. 21-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record 32. 12-Apr-2024 FILED: Motion Requesting Continued Stay of Appeal; Certificate of Service (Appellant) ORDERED: Motion Requesting Continued Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 33. 22-Apr-2024 10/04/2024. On 10/07/2024, the stay will be automatically lifted unless before then appellant files a notice of disposition, a motion to dismiss the appeal pursuant to Rule 31.24, a motion to continue the stay, or a motion for rehearing in the superior court under Rule 32.14(a). The court does not express an opinion on the merits of the pending Rule 32 proceeding. FURTHER ORDERED: Directing the Clerk of the Yavapai County Superior Court to transmit to this court a certified copy of any order entered as a result of the Rule 32 proceedings within 5 days after its entry. FURTHER ORDERED: The opening brief is due by 11/06/2024. This deadline will be extended if the stay is continued. Benjamin A Armstrong ProTem Judge - Author