

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 23-0113**

**STATE v. JIRON**

**Appellate Case Information**

Case Filed: 27-Mar-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. JUAN JIRON, JR., Appellant**

(Litigant Group) JUAN JIRON, JR.

- Juan Jiron, Jr.

**Attorneys for: Appellant**

Joseph Adam Carver, Esq. (AZ Bar No. 26212)

**CASE STATUS**

Apr 11, 2024.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
CON CR201801061	see file	see file	Ted Stuart Reed, Sentencing	JURY	

**2 OPEN DUE DATES**

**Motion for Reconsideration due**

**Due By:**

Wednesday, May 1, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Paul J McMurdie - Concur; Hon Cynthia J Bailey - Concur

**Petition for Review to ASC due**

**Due By:**

Monday, May 13, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Paul J McMurdie - Concur; Hon Cynthia J Bailey - Concur

**CASE DECISION**

**11-Apr-2024 MEMORANDUM DECISION**

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

Filed: 11-Apr-2024

Mandate:

Decision Disposition

**Affirmed**

**91 PROCEEDING ENTRIES**

- 27-Mar-2023 FILED: Notice of Appeal from Coconino County Superior Court filed 03/10/23. Notification sent to Court Reporters dated 03/23/2023.
- 29-Mar-2023 FILED: Appellate Clerk Notice (31.2(g))
- 4-Apr-2023 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None sent with e-Record
- 6-Apr-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/02/2021 - Jury Trial - Day 6 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/01/2021 - Jury Trial - Day 5 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 11/30/2021 - Jury Trial - Day 4 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/07/2021 - Jury Trial - Day 9 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/06/2021 - Jury Trial - Day 8 (Jonna E. Baker)

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10. 6-Apr-2023 FILED: Reporter's Transcript - 12/03/2021 - Jury Trial - Day 7 (Jonna E. Baker)
11. 17-Apr-2023 FILED: Reporter's Transcript - 10/19/2021 - Juror Questionnaires (Jonna E. Baker)
12. 17-Apr-2023 FILED: Reporter's Transcript - 11/16/2021 - Status Conference (Jonna E. Baker)
13. 17-Apr-2023 FILED: Reporter's Transcript - 01/14/2022 - Status Conference (Jonna E. Baker)
14. 17-Apr-2023 FILED: Letter, dated 04/17/2023, to Court from Court Reporter Jonna Baker Re: request for extension of time to file transcripts
15. 17-Apr-2023 ORDERED: Letter, dated 04/17/2023, to Court from Court Reporter Jonna Baker Re: request for extension of time to file transcripts = GRANTED. Due Dates EXTENDED to 05/24/2023 for Transcripts dated 06/19/2020, 10/09/2020, 01/11/2021, 06/14/2021, 09/01/2021, 09/30/2021, 10/15/2021, 11/02/2021, 11/09/2021, 11/12/2021, 01/20/2022, 02/01/2022, 07/25/2022 or OSC set on 06/07/2023. Hon David B Gass - Author
16. 18-Apr-2023 FILED: Letter, dated 04/18/2023, to Court from Court Reporter Melissa Lagies Re: request for extension of time to file transcripts
17. 18-Apr-2023 ORDERED: Letter, dated 04/18/2023, to Court from Court Reporter Melissa Lagies Re: request for extension of time to file transcripts = GRANTED. Transcripts dated 02/25/2021, 02/07/2023, 02/09/2023, 02/10/2023, 03/10/2023 EXTENDED to 05/24/2023 or OSC set on 06/07/2023. Hon David B Gass - Author
18. 20-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Amended Clerk's Notice to Court Reporters; Amended ME for 01/11/2021; Amended ME for 01/20/2022; Amended ME for 07/25/2022)
19. 20-Apr-2023 FILED: Reporter's Transcript - 03/04/2019 - Case Management Conference (Amanda Willey)
20. 20-Apr-2023 FILED: Reporter's Transcript - 04/22/2019 - Case Management Conference (Amanda Willey)
21. 20-Apr-2023 FILED: Reporter's Transcript - 01/05/2023 - Status Conference (Amanda Willey)
22. 20-Apr-2023 FILED: Reporter's Transcript - 05/20/2019 - Status Conference (Amanda Willey)
23. 20-Apr-2023 FILED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi)
24. 20-Apr-2023 FILED: Request for Extension (Time to File Transcripts) (Amanda Willey)
25. 21-Apr-2023 ORDERED: Request for Extension (Time to File Transcripts) (Amanda Willey) = GRANTED. Due Dates EXTENDED to 05/24/2023 for Transcripts dated 10/29/2018, 11/26/2018 or OSC set on 06/07/2023. Hon David B Gass - Author
26. 21-Apr-2023 ORDERED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi) = GRANTED. Due date EXTENDED from Monday, 04-24-2023 to Wednesday, 05-24-2023 (Transcript for 01/27/2023 or OSC set on 06/07/2023. Hon David B Gass - Author
27. 21-Apr-2023 ORDERED: Directing Kathy Scherf to arrange for the preparation of transcripts of 01/11/2021, 01/20/2022 and 07/25/2022 due by 06/05/2023. Benjamin A Armstrong ProTem Judge - Author
28. 21-Apr-2023 FILED: Untitled Motion for Extension (Time to File Transcripts) (Jennifer Sullivan)
29. 24-Apr-2023 ORDERED: Untitled Motion for Extension (Time to File Transcripts) (Jennifer Sullivan) = GRANTED. Due Dates EXTENDED to 05/24/2023 for Transcripts dated 11/29/2022, 01/31/2023, 02/02/2023, 02/03/2023 or OSC set on 06/7/2023. Hon David B Gass - Author
30. 27-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
31. 28-Apr-2023 ORDERED: (correcting court reporter from Rossana Baker to Yvette Johnson) Court Reporter Yvette Johnson transcript of 08/09/2019 due by 06/12/2023. Benjamin A Armstrong ProTem Judge - Author
32. 1-May-2023 ORDERED: Court Reporter Rossana Baker transcript of 08/09/2019 or OSC set on 05/17/2023. Hon David B Gass - Author
33. 2-May-2023 ORDERED: Vacating OSC hearing set for Court Reporter Rossana Baker on 05/17/2023. Benjamin A Armstrong ProTem Judge - Author
34. 5-May-2023 FILED: Reporter's Transcript - 10/15/2021 - Emergency Hearing via Zoom (Jonna E. Baker)
35. 5-May-2023 FILED: Reporter's Transcript - 09/01/2021 - Zoom Status Conference (Jonna E. Baker)
36. 5-May-2023 FILED: Reporter's Transcript - 06/14/2021 - Zoom Status Conference (Jonna E. Baker)
37. 5-May-2023 FILED: Reporter's Transcript - 10/09/2020 - Zoom Status Conference (Jonna E. Baker)
38. 5-May-2023 FILED: Reporter's Transcript - 02/25/2021 - Status Conference (Melissa Lagies)

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39.	5-May-2023	FILED: Reporter's Transcript - 02/07/2023 - Trial Day 5 (Melissa Lagies)
40.	5-May-2023	FILED: Reporter's Transcript - 02/09/2023 - Trial Day 6 (Melissa Lagies)
41.	5-May-2023	FILED: Reporter's Transcript - 02/10/2023 - Trial Day 7 (Melissa Lagies)
42.	5-May-2023	FILED: Reporter's Transcript - 03/10/2023 - Sentencing Hearing (Melissa Lagies)
43.	5-May-2023	FILED: Reporter's Transcript - 11/29/2022 - Status Conference (Jennifer Sullivan)
44.	9-May-2023	FILED: Reporter's Transcript - 01/31/2023 - Jury Trial (Jennifer Sullivan)
45.	17-May-2023	FILED: Reporter's Transcript - 11/12/2021 - Jury Trial - Day 3 (Jonna E. Baker)
46.	17-May-2023	FILED: Reporter's Transcript - 11/09/2021 - Trial - Day 2 (Jonna E. Baker)
47.	17-May-2023	FILED: Reporter's Transcript - 11/02/2021 - Trial - Day 1 (Jonna E. Baker)
48.	17-May-2023	FILED: Reporter's Transcript - 02/01/2022 - Trial Scheduling Conference via Zoom (Jonna E. Baker)
49.	17-May-2023	FILED: Reporter's Transcript - 09/30/2021 - Comprehensive Pretrial Conference/Evidentiary Hearing/Oral Argument (Jonna E. Baker)
50.	21-May-2023	FILED: Reporter's Transcript - 11/26/2018 - Case Management Conference (Amanda Willey)
51.	21-May-2023	FILED: Reporter's Transcript - 10/29/2018 - Arraignment (Amanda Willey)
52.	21-May-2023	FILED: Reporter's Transcript - 06/19/2020 - Status Conference/Trial Scheduling Conference (Jonna E. Baker)
53.	23-May-2023	FILED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi)
54.	23-May-2023	ORDERED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi) = GRANTED. Due date EXTENDED from Wednesday, 05-24-2023 to Friday, 06-23-2023 (Transcript for 01/27/2023 by Reporter Susanne Nardozzi) or OSC set on 07/05/2023. FURTHER ORDERED: If Court Reporter Susanne Nardozzi cannot complete the above listed transcript(s) by 06/23/2023, he/she will find an alternate Court Reporter to finish the above listed transcript(s). FURTHER ORDERED: Vacating the OSC set for 06/07/2023. Hon David B Gass - Author
55.	23-May-2023	FILED: Reporter's Transcript - 02/02/2023 - Jury Trial (Jennifer Sullivan)
56.	24-May-2023	FILED: Reporter's Transcript - 02/03/2023 - Jury Trial (Jennifer Sullivan)
57.	3-Jun-2023	FILED: Reporter's Transcript - 01/11/2021 - Case Management Conference (Amanda Willey)
58.	3-Jun-2023	FILED: Reporter's Transcript - 01/20/2022 - Trial Scheduling Conference - Continued (Amanda Willey)
59.	3-Jun-2023	FILED: Reporter's Transcript - 07/25/2022 - Case Management Conference (Amanda Willey)
60.	21-Jun-2023	FILED: Request for Extension (Time to File Transcripts) (Amanda Willey)
61.	22-Jun-2023	FILED: Motion to Supplement the Record; Certificate of Service (Appellant)
62.	22-Jun-2023	ORDERED: Request for Extension (Time to File Transcripts) (Amanda Willey) = GRANTED. Due date EXTENDED from Monday, 06-12-2023 to Wednesday, 07-12-2023 (Transcript for 08/09/2019 by Reporter Amanda Willey due.) or OSC set on 07/19/2023. Hon David B Gass - Author
63.	23-Jun-2023	FILED: Reporter's Transcript - 1/26/2023 [sic] - Final Pretrial Conference (Susanne Nardozzi)
64.	26-Jun-2023	ORDERED: Motion to Supplement the Record (Appellant) and advising appellant the court previously ordered the preparation of the transcript designated above. FURTHER ORDERED: Directing court reporter Susanne Nardozzi to provide appellant a copy of the transcript if she has not already done so. Benjamin A Armstrong ProTem Judge - Author
65.	3-Jul-2023	FILED: Reporter's Transcript - 08/09/2019 - Trial Setting Conference (Amanda Willey)
66.	6-Jul-2023	FILED: Notice of Completion of Record
67.	9-Aug-2023	FILED: Motion to Extend Opening Brief Deadline; Certificate of Service (Appellant)
68.	10-Aug-2023	ORDERED: Motion to Extend Opening Brief Deadline (Appellant) = GRANTED. Due date EXTENDED from Monday, 08-21-2023 to Wednesday, 09-20-2023. Benjamin A Armstrong ProTem Judge - Author

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69.	20-Sep-2023	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant) [sealed per order filed 01/24/2024]
70.	25-Sep-2023	FILED: Notice of Appearance; Certificate of Service (Appellee)
71.	26-Oct-2023	FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
72.	27-Oct-2023	ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from 10/30/2023 to 11/29/2023 Benjamin A Armstrong ProTem Judge - Author
73.	28-Nov-2023	FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
74.	29-Nov-2023	ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from 11/29/2023 to 12/29/2023 Benjamin A Armstrong ProTem Judge - Author
75.	29-Dec-2023	FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
76.	29-Dec-2023	ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Friday, 12-29-2023 to Monday, 01-29-2024. Benjamin A Armstrong ProTem Judge - Author
77.	18-Jan-2024	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
78.	24-Jan-2024	ORDERED: Sealing the opening brief filed on 09/20/2023. FURTHER IS ORDERED: Directing appellant to file a corrected copy of the opening brief that complies with Rule 31.10(f) by 01/19/2024. Appellant should ensure that the victim's name does not appear anywhere in the corrected opening brief. Hon David B Gass - Author
79.	24-Jan-2024	FILED: Appellant's Opening Brief -- Corrected; Certificate of Compliance; Certificate of Service (Appellant)
80.	30-Jan-2024	FILED: Memorandum -- to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
81.	7-Feb-2024	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
82.	21-Feb-2024	FILED: Amended Superior Court e-Record with Revised Index of Record
83.	26-Feb-2024	CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 4-3-24, 10:15 am, COURTROOM 1.
84.	26-Feb-2024	FILED: Notice of Oral Argument
85.	27-Feb-2024	FILED: Return Receipt for Notice of Oral Argument, signed by Joseph Carver on 02/26/2024 (Appellant)
86.	28-Feb-2024	FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)
87.	1-Mar-2024	FILED: Return Receipt for Notice of Oral Argument, signed by Rebecca Jones on 02/28/2024 (Appellee)
88.	4-Mar-2024	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: January + February, 2023 List # 1 2 4 5 8 9 12 13 14 27 56 68 69 85 87 88 89 90 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope
89.	6-Mar-2024	ORDERED: Vacating Oral Argument set for 04/03/2024. The case will be conferenced on 04/03/2024, without oral argument, and a decision will be issued in due course. Hon Paul J McMurdie - Author
90.	11-Apr-2024	MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Paul J McMurdie - Concur; Hon Cynthia J Bailey - Concur
91.	11-Apr-2024	FILED: Decision Distribution Notification