

# Court of Appeals, Division One

Criminal

**1 CA-CR 23-0131**

**STATE v. LINDSTROM**

## Appellate Case Information

Case Filed: 6-Apr-2023

Case Closed:

## Dept/Composition

### Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

### Attorneys for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

### Side 2. ALLAN FREDERICK LINDSTROM, Appellant

(Litigant Group) ALLAN FREDERICK LINDSTROM

- Allan Frederick Lindstrom

### Attorneys for: Appellant

Alane M Ortega, Esq. (AZ Bar No. 25719)

## CASE STATUS

Dec 11, 2023....Record Complete-Notice Completion Sent

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2017-146752-001	Murder 2nd Degree-Intentional, Count 1	22 years, ADOC	Geoffrey H Fish, Sentencing	JURY	

## OPEN DUE DATE

### Opening Brief Due

Due By:

Friday, May 10, 2024

Re: FILED: Notice of Completion of Record

[3 extensions]

## 85 PROCEEDING ENTRIES

- 6-Apr-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 03/31/23. Notification sent to Court Reporters dated 04/05/2023.
- 6-Apr-2023 FILED: Appellate Clerk Notice (31.2(g))
- 21-Apr-2023 FILED: Notice of No Financial Arrangements dated 04/21/2023 (Lisa Bradley)
- 24-Apr-2023 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)
- 25-Apr-2023 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Lisa Bradley, Tara Kramer, Michael Babicky, and Lauren Kuhnenn to prepare, and for Ken Crenshaw transcripts due 06/08/2023. Benjamin A Armstrong ProTem Judge - Author
- 25-Apr-2023 ORDERED: Ken Crenshaw Transcripts of 09/22/2022, 09/26/2022, 10/31/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 02/07/2020, 03/17/2020 for Ken Crenshaw. FURTHER ORDERED: Court Reporter Michael Babicky Transcripts of 10/21/2022, 10/26/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 09/29/2022, 10/06/2022, 10/10/2022, 10/12/2022, 10/17/2022, 10/18/2022, 10/19/2022, 10/20/2022, 10/24/2022, 10/25/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023 for Court Reporter Michael Babicky. FURTHER ORDERED: Court Reporter Lauren Kuhnenn Transcripts of 03/11/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 11/01/2022, 11/08/2022 for Court Reporter Lauren Kuhnenn. FURTHER ORDERED: Court Reporter Wendy Ricard Transcripts of 09/08/2022, 09/14/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Tara Karmer Transcripts of 06/07/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 08/12/2022 for Court Reporter Tara Kramer. FURTHER ORDERED: Court Reporter Lisa Bradley Transcripts of 07/22/2020, 09/10/2020, 10/29/2020, 08/08/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 11/20/2020 for Court Reporter Lisa Bradley. FURTHER ORDERED: Court Reporter Linda Lopez Transcripts of 04/13/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Debra Carney Transcripts of 09/28/2021, 03/01/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Hope Yeager Transcripts of 02/14/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Wanda Bauer Transcripts of 01/11/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Catherine Turner Transcripts of 03/09/2020 due by 06/08/2023. FURTHER ORDERED: Court Reporter Cynthia Lineburg Transcripts of 12/03/2018, 02/12/2020 due by 06/08/2023. FURTHER ORDERED: Court Reporter Kelly Rexroat Transcripts of 08/08/2019 due by 06/08/2023. FURTHER ORDERED: Court Reporter Lori Thielmann Transcripts of 05/30/2018 due by 06/08/2023. FURTHER ORDERED: Court Reporter Brigid Donovan Transcripts of 09/06/2018, 02/26/2019, 04/15/2019, 05/29/2019, 06/17/2019, 11/12/2019, 12/17/2019, 01/22/2020 due by 06/08/2023. Hon David B Gass - Author

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7.	1-May-2023	FILED: Reporter's Transcript - 11/20/2020 - Untitled Transcript (Lisa Bradley)
8.	2-May-2023	FILED: Reporter's Transcript - 06/07/2022 - Trial Continuance Past Last Day (Tara L. Kramer)
9.	2-May-2023	FILED: Reporter's Transcript - 08/12/2022 - Oral Argument (Tara L. Kramer)
10.	3-May-2023	FILED: Reporter's Transcript - 08/08/2022 - Reporter's Transcript of Proceedings (Lisa Bradley)
11.	5-May-2023	FILED: Reporter's Transcript - 10/29/2020 - Reporter's Transcript of Proceedings (Lisa Bradley)
12.	9-May-2023	FILED: Reporter's Transcript - 09/10/2020 - Reporter's Transcript of Proceedings (Lisa Bradley)
13.	11-May-2023	FILED: Reporter's Transcript - 04/13/2022 - Final Trial Management (Linda Lopez)
14.	12-May-2023	FILED: Reporter's Transcript - 07/22/2020 - Reporter's Transcript of Proceedings (Lisa Bradley)
15.	12-May-2023	FILED: Reporter's Transcript - 02/07/2020 - Settlement Conference (Angela Malik Luck)
16.	12-May-2023	FILED: Reporter's Transcript - 09/26/2022 - Trial Procedure Conference (Anne Manscill)
17.	12-May-2023	FILED: Reporter's Transcript - 10/31/2022 - Status Conference (Anne Manscill)
18.	12-May-2023	FILED: Reporter's Transcript - 09/22/2022 - Trial Assignment (Angela Malik Luck)
19.	12-May-2023	FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 310 Exhibits: None sent with e-Record (Includes transcript 10/17/2017)
20.	12-May-2023	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 10/06/2022 List # 16 19 43 44 45 46 47 48 49 51 52 53 62 64 65 66 69 70 71 72 75 76 78 79 80 81 82 83 88 90 91 92 99 100 101 104 105 in manila envelope Hearing Date: 03/24/2023 List # 1 3 4 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope
21.	12-May-2023	FILED: Reporter's Transcripts - 10/06/2022 - Trial (Michael Babicky)
22.	13-May-2023	FILED: Reporter's Transcripts - 11/08/2022 - Jury Trial (Lauren Kuhnhenh)
23.	15-May-2023	FILED: Reporter's Transcript - 03/17/2020 - Settlement Conference (Lisa Baker)
24.	15-May-2023	FILED: Reporter's Transcripts - 11/01/2022 - Jury Trial (Lauren Kuhnhenh)
25.	15-May-2023	FILED: Reporter's Transcript - 01/11/2022 - Reporter's Transcript of Proceedings (Wanda Bauer)
26.	15-May-2023	FILED: Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky)
27.	15-May-2023	ORDERED: Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky) = GRANTED. Due Dates EXTENDED to 06/14/2023 for Transcripts dated 09/29/2022, 10/10/2022, 10/12/2022, 10/17/2022, 10/18/2022, 10/19/2022, 10/20/2022, 10/24/2022, 10/25/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023. FURTHER ORDERED: If transcripts not filed, Show Cause Hearing on 6/21/23 at 2:30 pm in Courtroom 1. Hon David B Gass - Author
28.	16-May-2023	FILED: Reporter's Transcripts - 03/11/2022 - Final Trial Management Conference (Lauren Kuhnhenh)
29.	16-May-2023	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
30.	19-May-2023	FILED: Reporter's Transcript - 03/09/2020 - Final Trial Management Conference (Catherine Turner)
31.	22-May-2023	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 4 and 10); the Email dated 10/20/2022 (I.O.R. 249); the Email dated 11/10/2022 (I.O.R. 262); the Sealed Jury Questionnaires (I.O.R. 263, 264, 265, 266, 267, 268, and 269); and the Random Jury List (I.O.R. 281), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
32.	4-Jun-2023	FILED: Reporter's Transcript - 12/03/2018 - CCMC (Cindy Lineburg)
33.	4-Jun-2023	FILED: Reporter's Transcript - 02/12/2020 - CCMC (Cindy Lineburg)

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34.	4-Jun-2023	FILED: Reporter's Transcript - 09/14/2022 - Final Trial Management Conference (Wendy Ricard)
35.	4-Jun-2023	FILED: Reporter's Transcript - 09/08/2022 (A.M.) - Final Trial Management Conference (Wendy Ricard)
36.	6-Jun-2023	FILED: Reporter's Transcripts - 10/21/2022 - Hearing (Michael Babicky)
37.	6-Jun-2023	FILED: Reporter's Transcripts - 10/26/2022 - Hearing (Michael Babicky)
38.	7-Jun-2023	FILED: Reporter's Transcript - 05/30/2018 - Trial Continuance Past Last Day (Lori Thielmann)
39.	7-Jun-2023	FILED: Reporter's Transcript - 09/28/2021 - Trial Continuance (Debra Carney)
40.	7-Jun-2023	FILED: Reporter's Transcript - 03/01/2022 - Status Conference (Debra Carney)
41.	8-Jun-2023	FILED: Reporter's Transcripts - 01/22/2020 - Status Conference (Brigid M. Donovan)
42.	8-Jun-2023	FILED: Reporter's Transcripts - 12/17/2019 - Complex Case Management Conference (Brigid M. Donovan)
43.	8-Jun-2023	FILED: Reporter's Transcripts - 11/12/2019 - Complex Case Management Conference (Brigid M. Donovan)
44.	8-Jun-2023	FILED: Reporter's Transcripts - 06/17/2019 - Complex Case Management Conference (Brigid M. Donovan)
45.	8-Jun-2023	FILED: Reporter's Transcripts - 05/29/2019 - Complex Case Management Conference (Brigid M. Donovan)
46.	8-Jun-2023	FILED: Reporter's Transcripts - 04/15/2019 - Complex Case Management Conference (Brigid M. Donovan)
47.	8-Jun-2023	FILED: Reporter's Transcripts - 02/26/2019 - Final Trial Management Conference (Brigid M. Donovan)
48.	8-Jun-2023	FILED: Reporter's Transcripts - 09/06/2018 - Complex Case Management Conference (Brigid M. Donovan)
49.	8-Jun-2023	FILED: Reporter's Transcript - 02/14/2022 - Final Trial Management Conference (Hope J Yeager)
50.	14-Jun-2023	FILED: Reporter's Transcript - 08/08/2019 - Complex Case Management Conference (Kelly Rexroat)
51.	14-Jun-2023	FILED: Reporter's Transcripts - 10/06/2022 - Trial (Michael Babicky)
52.	14-Jun-2023	FILED: Reporter's Transcript - 09/29/2022 - Trial (Michael Babicky)
53.	14-Jun-2023	FILED: Reporter's Transcripts - 10/17/2022 - Trial (Michael Babicky)
54.	14-Jun-2023	FILED: Reporter's Transcripts - 10/12/2022 - Trial (Michael Babicky)
55.	14-Jun-2023	FILED: Reporter's Transcripts - 10/10/2022 - Trial (Michael Babicky)
56.	14-Jun-2023	FILED: Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky)
57.	14-Jun-2023	FILED: Amended Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky)
58.	16-Jun-2023	ORDERED: Amended Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky) = GRANTED. Due Dates EXTENDED to 07/14/2023 for Transcripts dated 10/18/2022, 10/19/2022, 10/20/2022, 10/24/2022, 10/25/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023 or OSC set on 07/19/2023. FURTHER ORDERED: If Court Reporter Michael A Babicky cannot complete the above listed transcript(s) by 07/14/2023, he/she will find an alternate Court Reporter to finish the above listed transcript(s). FURTHER ORDERED: Vacating OSC set for 06/21/2023. Hon David B Gass - Author  [VACATED per order filed 07/14/2023]
59.	12-Jul-2023	FILED: Reporter's Transcript - 10/20/2022 - Trial (Michael Babicky)
60.	12-Jul-2023	FILED: Reporter's Transcript - 10/21/2022 - Trial (Michael Babicky)
61.	12-Jul-2023	FILED: Reporter's Transcript - 10/24/2022 - Trial (Michael Babicky)
62.	12-Jul-2023	FILED: Reporter's Transcript - 10/25/2022 - Trial (Michael Babicky)
63.	13-Jul-2023	FILED: Affidavit for Extension of Time (Court Reporter Michael Babicky)
64.	14-Jul-2023	FILED: Reporter's Transcript - 11/02/2022 (Michael Babicky)

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65.	14-Jul-2023	ORDERED: Affidavit for Extension of Time (Court Reporter Michael Babicky) = GRANTED. Due Dates EXTENDED to 08/04/2023 for Transcripts dated 10/18/2022, 10/19/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023 or OSC set for 08/16/2023. FURTHER ORDERED: Vacating OSC scheduled for 07/19/2023, in the above referenced matter. Hon David B Gass - Author
66.	17-Jul-2023	FILED: Reporter's Transcripts - 11/03/2022 - Trial (Michael Babicky)
67.	30-Jul-2023	FILED: Reporter's Transcripts - 11/02/2022 - Trial - (Michael Babicky)
68.	30-Jul-2023	FILED: Reporter's Transcripts - 11/03/2022 - Trial - (Michael Babicky)
69.	30-Jul-2023	FILED: Reporter's Transcripts - 11/07/2022 - Trial - (Michael Babicky)
70.	30-Jul-2023	FILED: Reporter's Transcripts - 11/09/2022 - Trial - (Michael Babicky)
71.	30-Jul-2023	FILED: Reporter's Transcripts - 11/10/2022 - Trial - (Michael Babicky)
72.	30-Jul-2023	FILED: Reporter's Transcripts - 11/16/2022 - Trial - (Michael Babicky)
73.	30-Jul-2023	FILED: Reporter's Transcripts - 11/17/2022 - Trial - (Michael Babicky)
74.	30-Jul-2023	FILED: Reporter's Transcripts - 03/24/2023- Trial - (Michael Babicky)
75.	30-Jul-2023	FILED: Reporter's Transcripts - 10/20/2022 - Trial - (Michael Babicky)
76.	30-Jul-2023	FILED: Reporter's Transcripts - 10/21/2022 - Trial - (Michael Babicky)
77.	2-Aug-2023	FILED: Reporter's Transcripts - 10/19/2022 - Trial (Michael Babicky)
78.	2-Aug-2023	FILED: Reporter's Transcripts -10/18/2022 - Trial (Michael Babicky)
79.	11-Dec-2023	FILED: Notice of Completion of Record
80.	12-Dec-2023	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
81.	18-Dec-2023	ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Alane Ortega as attorney for appellant in this appeal. FURTHER ORDERED: The 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 = GRANTED. Due date EXTENDED from Thursday, 01-25-2024 to Monday, 03-11-2024. Benjamin A Armstrong ProTem Judge - Author
82.	11-Mar-2024	FILED: Motion for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
83.	12-Mar-2024	ORDERED: Motion for Extension of Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-11-2024 to Wednesday, 04-10-2024. Benjamin A Armstrong ProTem Judge - Author
84.	10-Apr-2024	FILED: Motion for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
85.	11-Apr-2024	ORDERED: Motion for Extension of Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 04-10-2024 to Friday, 05-10-2024. Benjamin A Armstrong ProTem Judge - Author