

Court of Appeals, Division One

Criminal

1 CA-CR 23-0217

STATE v. DAVITT

Appellate Case Information

Case Filed: 9-Jun-2023

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

• State of Arizona

Attorneys for: Appellee

Diane L Hunt, Esq. (AZ Bar No. 16566)

Side 2. DANIEL DAVITT, Appellant

(Litigant Group) DANIEL DAVITT

• Daniel Davitt

Attorneys for: Appellant

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

CASE STATUS

Apr 15, 2024....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2020-001161-001	Manslaughter, Class 2	33 years, ADOC	Roy C Whitehead, Sentencing	JURY	

2 OPEN DUE DATES

Reply Brief Due

Due By:

Monday, May 6, 2024

Re: FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)

Additional Record Due

Due By:

Monday, May 13, 2024

Re: FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days

36 PROCEEDING ENTRIES

1.	9-Jun-2023	FILED: Notice of Appeal from Maricopa County Superior Court filed 06/02/23. Notification sent to Court Reporters dated 06/08/2023.
2.	9-Jun-2023	FILED: Appellate Clerk Notice (31.2(g))
3.	12-Jun-2023	ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court reporters Hope Yeager, Monica Hill-Morrisette, Scott Kindle, April Escobedo and Ken Crenshaw transcripts due 07/27/2023. Benjamin A Armstrong ProTem Judge - Author
4.	14-Jul-2023	FILED: Record on Appeal: Combined Instruments/Minute Entries Disposition Report: #144, Filed 6/23/23 Exhibits: Not Sent At This Time
5.	14-Jul-2023	FILED: Physical Exhibits: Hearing DAt 4/11/23 - Llist and #1, 2, 12, 20, 21, 22 in manila envelope; Confidential Criminal History in sealed manila envelope
6.	21-Jul-2023	FILED: Reporter's Transcript - 04/27/2023 - Trial Day 7 (Afternoon Session) - (Scott Kindle)
7.	26-Jul-2023	FILED: Reporter's Transcript - 04/12/2023 - Jury Trial - (Monica S Hill-Morrisette)
8.	26-Jul-2023	FILED: Reporter's Transcript - 04/17/2023 - Jury Trial - (Monica S Hill-Morrisette)
9.	26-Jul-2023	FILED: Reporter's Transcript - 04/20/2023 - Jury Trial - (Monica S Hill-Morrisette)
10.	26-Jul-2023	FILED: Reporter's Transcript - 04/25/2023 - Jury Trial - (Monica S Hill-Morrisette)
11.	26-Jul-2023	FILED: Reporter's Transcript - 04/18/2023 - Jury Trial - (Monica S Hill-Morrisette)
12.	26-Jul-2023	FILED: Reporter's Transcript - 04/27/2023 - Jury Trial - (Monica S Hill-Morrisette)
13.	26-Jul-2023	FILED: Reporter's Transcript - 05/01/2023 - Jury Trial - (Monica S Hill-Morrisette)

Court of Appeals, Division One**Criminal****1 CA-CR 23-0217****STATE v. DAVITT****36 PROCEEDING ENTRIES**

14.	27-Jul-2023	FILED: Reporter's Transcripts - 05/01/2023 - Trial - Day Eight - AM - (April Escobedo)
15.	31-Jul-2023	FILED: Reporter's Transcript - 04/11/2023 - Trial Day 1 - PM - (Hope J Yeager)
16.	1-Aug-2023	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
17.	1-Aug-2023	ORDERED: Ken Crenshaw transcript dated 06/02/2023 due by 08/31/2023 or OSC set on 09/06/2023. Hon Randall M Howe - Author
18.	4-Aug-2023	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheet (I.O.R. 3); the Random Jury List (I.O.R. 118); and the Restitution Ledger Request (I.O.R. 129), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
19.	5-Sep-2023	FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw)
20.	5-Sep-2023	ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due date EXTENDED from 08/31/2023 to 10/02/2023 for transcript dated 06/02/2023 or OSC set on 10/04/2023. FURTHER ORDERED: Vacating the OSC set for 09/06/2023. Hon Randall M Howe - Author
21.	26-Sep-2023	FILED: Reporter's Transcript - 06/02/2023 -Transcript Re: Sentencing Hearing (Kimberly C. McCright)
22.	27-Sep-2023	FILED: Notice of Completion of Record
23.	29-Sep-2023	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
24.	10-Oct-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: 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 Monday, 11-13-2023 to Thursday, 12-28-2023. Benjamin A Armstrong ProTem Judge - Author
25.	27-Dec-2023	FILED: Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
26.	28-Dec-2023	ORDERED: Request for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 12-28-2023 to Monday, 01-29-2024 Benjamin A Armstrong ProTem Judge - Author
27.	29-Jan-2024	FILED: Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
28.	31-Jan-2024	ORDERED: Request for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 01-29-2024 to Monday, 02-12-2024 Benjamin A Armstrong ProTem Judge - Author
29.	13-Feb-2024	FILED: Request for Extension of Time to File Opening Brief (a Few Hours); Certificate of Service (Appellant)
30.	13-Feb-2024	FILED: Appellant's Opening Brief; Appellant's Opening Brief Certificate of Compliance; Appellant's Opening Brief Certificate of Service (Appellant) [ACCEPTED per order filed 02/13/2024]
31.	13-Feb-2024	ORDERED: Request for Extension of Time to File Opening Brief (a Few Hours) (Appellant) = GRANTED and accepting the opening brief filed 02/13/2024. Benjamin A Armstrong ProTem Judge - Author
32.	15-Feb-2024	FILED: Notice of Appearance; Certificate of Service (Appellee)
33.	22-Mar-2024	FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
34.	22-Mar-2024	ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 03-25-2024 to Monday, 04-15-2024. Geoffrey P Butzine ProTem Judge - Author
35.	15-Apr-2024	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
36.	1-May-2024	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days