

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 23-0238****STATE v. CURRY****Appellate Case Information**

Case Filed: 23-Jun-2023

Case Closed:

Dept/Composition**Department E**Hon. Anni Hill Foster
Hon. Randall M Howe
Hon. David B Gass**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. DUSTIN PARKER CURRY, Appellant**(Litigant Group) DUSTIN PARKER CURRY**

- Dustin Parker Curry

Attorneys for: Appellant

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

CASE STATUS

Apr 16, 2024.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2020-109873-001	Aslt-Cause Fear of Phys Inj, Class 2; Aslt-Cause Fear of Phys Inj, Class 2	18 months, Probation; 18 months, Probation	Joseph Shayne Kiefer, Sentencing	JURY	

2 OPEN DUE DATES**Motion for Reconsideration Due****Due By:**

Monday, May 6, 2024

*Re: MEMORANDUM DECISION (Affirmed) Hon David B Gass - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concur***Petition for Review to ASC due****Due By:**

Thursday, May 16, 2024

*Re: MEMORANDUM DECISION (Affirmed) Hon David B Gass - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concur***CASE DECISION****16-Apr-2024 MEMORANDUM DECISION**David Gass.....Author
Anni Foster.....Concur
Randall Howe.....Concur

Filed: 16-Apr-2024

Mandate:

Decision Disposition

Affirmed**58 PROCEEDING ENTRIES**

- 23-Jun-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/19/23. Notification sent to Court Reporters dated 06/22/2023.
- 23-Jun-2023 FILED: Appellate Clerk Notice (31.2(g))
- 26-Jun-2023 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Ken Crenshaw and court reporters Tara Kramer, Luz Franco, Debra Carney, and Scott Kindle transcripts due 08/10/2023. Benjamin A Armstrong ProTem Judge - Author
- 5-Jul-2023 FILED: Returned US Mail, Order Regarding Counsel And Transcripts dated 06/26/2023, addressed to Dustin Parker Curry, Attempted - Not Known Unable to Forward (Not Resent)
- 6-Jul-2023 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 23-0238****STATE v. CURRY****58 PROCEEDING ENTRIES**

6. 7-Jul-2023 ORDERED: Ken Crenshaw transcripts dated 05/26/2020, 09/24/2020, 12/01/2020, 05/17/2022, 05/24/2022, 06/21/2022, 09/28/2022, 09/30/2022, 10/14/2022, 11/14/2022, 11/28/2022, 01/12/2023, 02/15/2023, 04/18/2023, 05/23/2023 due by 08/21/2023. FURTHER ORDERED: Reaffirming this previously set due date of 08/10/2023 for transcripts dated 05/10/2023 for Court Reporter Coordinator Ken Crenshaw. FURTHER ORDRED: Court Reporter Scott Kindle transcript dated 11/29/2022 due by 08/21/2023. FURTHER ORDERED: Reaffirming this previously set due date of 08/10/2023 for transcripts dated 06/14/2023 for Court Reporter Scott Kindle. FURTHER ORDRED: Court Reporter Tara L Kramer transcript dated 12/02/2021 due by 08/21/2023. FURTHER ORDERED: Reaffirming this previously set due date of 08/10/2023 for transcripts dated 05/03/2023 & 05/04/2023, for Court Reporter Tara L Kramer. FURTHER ORDRED: Court Reporter Kristyn Lobry transcript dated 07/11/2022 due by 08/21/2023. FURTHER ORDRED: Court Reporter Catherine Turner transcript dated 03/21/2022 due by 08/21/2023. FURTHER ORDRED: Court Reporter Diane Donoho transcripts dated 06/15/2021, 08/05/2021, 10/25/2021, 02/22/2022, due by 08/21/2023. FURTHER ORDRED: Court Reporter Kristin DeCasas transcript dated 01/25/2022 due by 08/21/2023. FURTHER ORDRED: Court Reporter Lauren Kuhnnehn transcript dated 09/22/2021 due by 08/21/2023. FURTHER ORDRED: Court Reporter Robin Bobbie transcript dated 04/27/2021 due by 08/21/2023. Hon Randall M Howe - Author
7. 23-Jul-2023 FILED: Reporter's Transcript - 07/11/2022 - Status Conference (Kristyn L. Lobry)
8. 24-Jul-2023 FILED: Reporter's Transcript - 01/25/2022 - Final Trial Management Conference (Kristin M. DeCasas)
9. 26-Jul-2023 FILED: Reporter's Transcript - 03/21/2022 - Final Trial Management Conference - (Catherine Turner)
10. 27-Jul-2023 FILED: Reporter's Transcript - 12/02/2021 - Final Trial Management Conference - (Tara L. Kramer)
11. 27-Jul-2023 FILED: Reporter's Transcript - 05/03/2023 - Jury Trial - (Tara L. Kramer)
12. 27-Jul-2023 FILED: Reporter's Transcript - 05/04/2023 - Jury Trial - (Tara L. Kramer)
13. 31-Jul-2023 FILED: Reporter's Transcript - 04/27/2021 - Final Trial Management Conference (Robin Lawlor)
14. 2-Aug-2023 FILED: Reporter's Transcript - 05/08/2023 - Trial (Continuing) (Luz Franco)
15. 2-Aug-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 155
Exhibits: None sent with e-Record
16. 3-Aug-2023 FILED: Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
17. 4-Aug-2023 FILED: Reporter's Transcript - 05/11/2023 - Trial Day 5 - (Debra Carney)
18. 7-Aug-2023 FILED: Reporter's Transcript - 11/29/2022 - Trial Day 1 (Scott Kindle)
19. 7-Aug-2023 FILED: Reporter's Transcript - 06/14/2023 - Sentencing (Scott Kindle)
20. 17-Aug-2023 FILED: Motion to Unseal; Certificate of Service (Appellant)
21. 17-Aug-2023 ORDERED: Ken Crenshaw transcript dated 05/10/2023 due by 09/11/2023, or OSC set on 09/20/2023. Hon Randall M Howe - Author
22. 18-Aug-2023 ORDERED: Motion to Unseal (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheet (Index of Record [IR] No. 4); Court Information Sheet (IR No. 10); Original Sealed Document (Medical Report: Dr. Farrah Hauke Dated 10/12/21) (IR 24); Original Sealed Document (Medical Report: Dr. Jacqueline Worsley Dated 3/27/20) (IR 25); Original Sealed Document (Medical Report: Dr. James Huddleston Dated 4/27/22) (IR 80); Original Sealed Document (Medical Report: Dr. Bennett Dawson Dated 6/14/22) (IR 81); Random Jury List (IR 94); Random Jury List (IR 127); Original Sealed Document (Jury Questionnaires) (IR 130); Original Sealed Document (Jury Questionnaires) (IR 131); and Restitution Ledger Request (IR 143), for parties/agents for this appeal only. Geoffrey P Butzine ProTem Judge - Author
23. 21-Aug-2023 FILED: Reporter's Transcripts - 09/22/2021 - Final Trial Management Conference (Lauren Kuhnnehn)
24. 22-Aug-2023 FILED: Reporter's Transcript - 06/15/2021 - Status Conference (Diane Donoho)
25. 22-Aug-2023 FILED: Reporter's Transcript - 08/05/2021 - Status Conference (Diane Donoho)
26. 22-Aug-2023 FILED: Reporter's Transcript - 10/25/2021 - Status Conference (Diane Donoho)
27. 22-Aug-2023 FILED: Reporter's Transcript - 02/22/2022 - Status Conference (Diane Donoho)
28. 23-Aug-2023 FILED: Reporter's Transcript - 01/12/2023 - Status Conference (Courtney Noble)
29. 23-Aug-2023 FILED: Reporter's Transcript - 02/15/2023 - Trial Setting (Courtney Noble)

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 23-0238****STATE v. CURRY****58 PROCEEDING ENTRIES**

30.	23-Aug-2023	FILED: Reporter's Transcript - 04/18/2023 - Trial Procedural Conference (Courtney Noble)
31.	23-Aug-2023	FILED: Reporter's Transcript - 05/10/2023 - Jury Trial Day 4 (Alexander Reaves and Caroline McPherson)
32.	23-Aug-2023	FILED: Reporter's Transcript - 05/17/2022 - Criminal Competency Hearing Continuance (Alison Wilson)
33.	23-Aug-2023	FILED: Reporter's Transcript - 05/23/2023 - Bond Forfeiture Hearing (Caroline McPherson)
34.	23-Aug-2023	FILED: Reporter's Transcript - 05/24/2022 - Criminal Competency Hearing (Alison Wilson)
35.	23-Aug-2023	FILED: Reporter's Transcript - 05/26/2020 - Competency Hearing (Alison Wilson)
36.	23-Aug-2023	FILED: Reporter's Transcript - 06/21/2022 - Competency Hearing (Alison Wilson)
37.	23-Aug-2023	FILED: Reporter's Transcript - 09/24/2020 - Trial Management Conference (Alison Wilson)
38.	23-Aug-2023	FILED: Reporter's Transcript - 09/28/2022 - Final Trial Management Conference (Alison Wilson)
39.	23-Aug-2023	FILED: Reporter's Transcript - 09/30/2022 - Settlement Conference (Alison Wilson)
40.	23-Aug-2023	FILED: Reporter's Transcript - 10/14/2022 - Settlement Conference (Alison Wilson)
41.	23-Aug-2023	FILED: Reporter's Transcript - 11/14/2022 - Final Trial Management Conference (Courtney Noble)
42.	23-Aug-2023	FILED: Reporter's Transcript - 11/28/2022 - Trial Procedure Conference (Courtney Noble)
43.	23-Aug-2023	FILED: Reporter's Transcript - 12/01/2020 - Trial Management Conference (Alison Wilson)
44.	24-Aug-2023	FILED: Notice of Completion of Record
45.	29-Aug-2023	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
46.	5-Sep-2023	ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Kyle Green 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 = GRANTED. Due date EXTENDED from Tuesday, 10-10-2023 to Friday, 11-24-2023. Benjamin A Armstrong ProTem Judge - Author
47.	22-Nov-2023	FILED: Appellant's Opening Brief (Anders Brief); Certificate of Compliance; Certificate of Service (Appellant)
48.	22-Nov-2023	FILED: Motion for Appellant to File Supplemental Brief; Certificate of Service (Appellant)
49.	27-Nov-2023	ORDERED: Allowing appellant to file supplemental brief in propria persona. FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG. FURTHER ORDERED: Appellant may raise additional points on/before 01/08/2024. FURTHER ORDERED: Answering brief to await court order. Benjamin A Armstrong ProTem Judge - Author
50.	30-Nov-2023	FILED: Notice to Court; Certificate of Service; Letter, dated 11/22/2023, to Appellant from Counsel re: Forwarding records on appeal (Appellant)
51.	22-Jan-2024	FILED: Assigning Anders appeal to Dept I for consideration and disposition. [Amy M. Wood, Clerk]
52.	22-Jan-2024	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
53.	22-Jan-2024	FILED: Memorandum vacating assignment of Anders appeal to Department I [Amy M. Wood, Clerk]
54.	22-Jan-2024	FILED: Assigning Anders appeal to Dept E for consideration and disposition. [Amy M. Wood, Clerk]
55.	22-Jan-2024	FILED: Memorandum: Judge Gass for Judge Furuya (Chief Judge Gass)
56.	2-Feb-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record
57.	16-Apr-2024	MEMORANDUM DECISION (Affirmed) Hon David B Gass - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concur
58.	16-Apr-2024	FILED: Decision Distribution Notification