

Court of Appeals, Division One
Criminal Petition Review Post Conviction Relief

1 CA-CR 23-0442 PRPC

STATE v. MACIEL

Appellate Case Information

Case Filed: 6-Oct-2023

Case Closed: 29-Apr-2024

Decision

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe

Side 1. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Respondent

Julie A Done, Esq. (AZ Bar No. 24370)

Jessi C Wade, Esq. (AZ Bar No. 21375)

Side 2. GERARDO O MACIEL, Petitioner

(Litigant Group) GERARDO O MACIEL

- Gerardo O Maciel

Attorneys for: Petitioner

Christopher Stavris, Esq. (AZ Bar No. 25096)

CASE STATUS

Apr 29, 2024.....Case Closed

PREDECESSOR CASE(S) +	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2005-008699-001			Michael W Kemp, Judge on PC		
MAR CR2007-007409-001			Michael W Kemp, Judge on PC		
MAR CR2008-006720-001			Michael W Kemp, Judge on PC		
MAR CR2008-006732-001			Michael W Kemp, Judge on PC		

CASE DECISION

21-Mar-2024 MEMORANDUM DECISION

Percurium

Anni Foster.....Concur

Brian Furuya.....Concur

Randall Howe.....Concur

Filed: 21-Mar-2024

Mandate: 29-Apr-2024

Decision Disposition

Review Granted

Relief Denied

19 PROCEEDING ENTRIES

- 6-Oct-2023 FILED: Petition for Review, From a Dismissal of a Petition for Post-conviction Relief; Certificate of Service, "petition for Review, From a Dismissal of a Petition for Post-conviction Relief"; Superior Court Order, Summary Dismissal of PCR Petition (Petitioner)
- 11-Oct-2023 ORDERED: Clerk of Maricopa County Superior Court to transmit record on appeal, including but not limited to reporter's transcripts and exhibits, to clerk, Court of Appeals, on/before 11/27/2023. Amy M Wood - Author
- 1-Nov-2023 FILED: Respondent State's Motion for Extension of Time to Respond to Maciel's Petition for Review; Certificate of Service for Respondent State's Motion for Extension of Time to Respond to Maciel's Petition for Review (Respondent)
- 2-Nov-2023 ORDERED: Respondent State's Motion for Extension of Time to Respond to Maciel's Petition for Review (Respondent) = GRANTED. Due date EXTENDED from Monday, 11-06-2023 to Wednesday, 12-06-2023. Benjamin A Armstrong ProTem Judge - Author
- 6-Nov-2023 FILED: Returned US Mail, Order Extending Time to File Response dated 11/02/2023, addressed to Gerardo O Maciel, Unable to Forward (Resent 11/09/2023)
- 22-Nov-2023 FILED: e-Record on Appeal: CR2008-006732-001
Instruments/Minute Entries: Combined
Disposition Report: 42
Exhibits: None sent with e-Record

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7. 22-Nov-2023 FILED: Additional Record on Appeal (CR2008-006720-001)
Physical Exhibits:
Hearing Date: 01/07/2009 List # 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 52 54 56 58 59 60 62 63 64 65 66 in manila envelope
8. 22-Nov-2023 FILED: Additional Record on Appeal (CR2008-007291-001)
Physical Exhibits:
Hearing Date: 12/09/2008 List # 1 2 3 4 5 6 8 9 in manila envelope
9. 22-Nov-2023 FILED: e-Record on Appeal: CR2008-007291-001
Instruments/Minute Entries: Combined
Disposition Report: 72
Exhibits: None sent with e-Record
Reporter's Transcripts: 11/21/2008 (Karen Dawson), 12/08/2008 (Karen Dawson), 12/09/2008 (Karen Dawson), 12/10/2008 (Karen Dawson), 01/09/2009 (Yvonne De La Torre), 02/27/2009 (Karen Dawson)
10. 22-Nov-2023 FILED: e-Record on Appeal: CR2005-008699-001
Instruments/Minute Entries: Combined
Disposition Report: 37 48 59
Exhibits: None sent with e-Record
11. 22-Nov-2023 FILED: e-Record on Appeal: CR2008-006720-001
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None sent with e-Record
Reporter's Transcripts: 01/14/2009 (Karen Dawson), 01/15/2009 (Karen Dawson), 02/27/2009 (Karen Dawson), 11/21/2008 (Karen Dawson), 01/08/2009 (Laura Ashbrook), 01/12/2009 (Janell Rose), 01/13/2009 (Janell Rose)
12. 22-Nov-2023 FILED: e-Record on Appeal: CR2008-007386-001
Instruments/Minute Entries: Combined
Disposition Report: 28
Exhibits: None sent with e-Record
13. 22-Nov-2023 FILED: e-Record on Appeal: CR2007-007409-001
Instruments/Minute Entries: Combined
Disposition Report: 53
Exhibits: None sent with e-Record
14. 6-Dec-2023 FILED: State's Response To Maciel's Petition For Review; Certificate Of Service For State's Response To Maciel's Petition For Review; Certificate Of Compliance For State's Response To Maciel's Petition For Review (Respondent)
15. 18-Dec-2023 FILED: Petitioner's Reply to State's Response to Petition for Review; Certificate of Service, "Petitioner's Reply to State's Response to Petition for Review" (Petitioner)
16. 21-Mar-2024 MEMORANDUM DECISION (Review Granted, Relief Denied) Hon Anni Hill Foster - Concur; Hon Brian Y Furuya - Concur; Hon Randall M Howe - Concur PERCURIUM
17. 21-Mar-2024 FILED: Decision Distribution Notification
18. 29-Apr-2024 FILED: Mandate, Physical record to clerk, Maricopa County Superior Court.
19. 29-Apr-2024 FILED: Letter dated 04/29/2024, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report