

# Court of Appeals, Division One

Criminal

**1 CA-CR 23-0555**

**STATE v. GIBBS**

## Appellate Case Information

Case Filed: 19-Dec-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. JAMES GAYLE GIBBS, SR., Appellant

(Litigant Group) JAMES GAYLE GIBBS, SR.

- James Gayle Gibbs, Sr.

### Attorneys for: Appellant

Kerrie M Droban Zhivago, Esq. (AZ Bar No. 16464)

## CASE STATUS

Mar 21, 2024....Record Complete-Notice Completion Sent

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2020-001297-001	See file	See file	David W Garbarino, Sentencing	JURY	

## OPEN DUE DATE

### Opening Brief Due

Due By:

Thursday, June 20, 2024

Re: FILED: Notice of Completion of Record

[1 extension]

## CALENDAR

Friday MOTION CALENDAR

29-Mar-2024 Department M;

File date: 3/25/2024.....Motion to Withdraw and Substitute New Counsel; MOTION TO EXTEND  
OPENING BRIEF DUE DATE (Appellant)  
*DECISION RENDERED: See proceeding entry for ORDER dated  
1-Apr-2024 for more information...*

File date: 3/25/2024.....MOTION TO WITHDRAW AND SUBSTITUTE NEW COUNSEL; Motion to  
Extend Opening Brief Due Date (Appellant)  
*DECISION RENDERED: See proceeding entry for ORDER dated  
1-Apr-2024 for more information...*

## 19 PROCEEDING ENTRIES

- 19-Dec-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 12/13/23. Notification to Court Reporters dated 12/18/2023.
- 19-Dec-2023 FILED: Appellate Clerk Notice (31.2(g))
- 20-Dec-2023 ORDERED: Directing Appellant to make arrangements with the court reporter(s) by 01/19/2024, to pay for the preparation of the transcripts. FURTHER ORDERED: Directing Appellant to file a notice in this court by 01/29/2024, as to the arrangements made. If Appellant fails to file a notice, the court will dismiss this appeal. FURTHER ORDERED: Appellant may file in the superior court a motion to proceed as indigent with a supporting affidavit. Counsel Antonio Gonzales must assist appellant with any such request. Appellant must file a copy of the request in this court by 01/19/2024. FURTHER ORDERED: Absent satisfactory financial arrangements, no transcripts are due in this case until further order from this court. Benjamin A Armstrong ProTem Judge - Author
- 18-Jan-2024 FILED: Notice of Preparation of Transcripts; Certificate of Service (Appellant)
- 22-Jan-2024 FILED: Reporter's Transcript - 10/25/2023 - Jury Trial - (Catherine Turner)
- 25-Jan-2024 FILED: Record on Appeal  
Physical Exhibits:  
Hearing Date: 10/16/2023 List # 12 18 22 in manila envelope  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope

**Court of Appeals, Division One****Criminal****1 CA-CR 23-0555****STATE v. GIBBS****19 PROCEEDING ENTRIES**

7.	26-Jan-2024	ORDERED: extending the time to file all the transcripts due in this matter from 01/29/2024, to 03/11/2024. Benjamin A Armstrong ProTem Judge - Author
8.	26-Jan-2024	FILED: Additional Record on Appeal: Combined Instruments/Minute Entries Disposition Report: #145, Filed 12/21/23
9.	29-Jan-2024	FILED: Reporter's Transcript - 10/16/2023 - Jury Trial Day One (Kit Walker)
10.	29-Jan-2024	FILED: Reporter's Transcript - 10/17/2023 - Jury Trial Day Two (Kit Walker)
11.	23-Feb-2024	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
12.	4-Mar-2024	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheet (I.O.R. 4); the Random Jury List (I.O.R. 127); the Sealed Jury Questionnaires (I.O.R. 128, 129 and 130); and the Restitution Ledger Request (I.O.R. 134), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
13.	11-Mar-2024	FILED: Reporter's Transcript - 10/23/2023 - Jury Trial - (Kassie Kosmal)
14.	11-Mar-2024	FILED: Reporter's Transcript - 11/01/2023 - Jury Trial - (Kassie Kosmal)
15.	12-Mar-2024	FILED: Reporter's Transcripts - 12/01/2023 - Sentencing Hearing (Michelle White)
16.	16-Mar-2024	FILED: Reporter's Transcript - 10/30/2023 - Jury Trial (Kassie Kosmal)
17.	21-Mar-2024	FILED: Notice of Completion of Record
18.	25-Mar-2024	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
19.	1-Apr-2024	ORDERED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Kerrie Droban Zhivago 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: Due date for the opening brief EXTENDED from Monday, 05-06-2024 to Thursday, 06-20-2024 Benjamin A Armstrong ProTem Judge - Author