

Arizona Supreme Court
Criminal Petition for Review - Special Action

CR-23-0163-PR

JUAN VELAZQUEZ v HON. KORBIN-STEINER/STATE

Appellate Case Information

Case Filed: 26-Jun-2023

Case Closed:

Dept/Composition

Consolidated with:

CR-23-0170-PC

Side 1. JUAN VELAZQUEZ, Petitioner

(Litigant Group) JUAN VELAZQUEZ

- Juan Velazquez

Attorneys for: Petitioner

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

Side 2. HON. RONEE KORBIN-STEINER, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Maricopa, Respondent Judge

(Litigant Group) HON. RONEE KORBIN-STEINER, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Maricopa

- Hon Ronee Korbin Steiner, Maricopa County Superior Court

Attorneys for: Respondent Judge

Side 3. STATE OF ARIZONA, Real Party in Interest

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Real Party in Interest

Kristin K. Mayes, Esq. (AZ Bar No. 022584)

Laura P Chiasson, Esq. (AZ Bar No. 19025)

CASE STATUS

Jun 26, 2023....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-SA 23-0122					
↗ MAR CR2001-014970-A			Ronee Korbin Steiner, Authoring Judge of Order Comments: (none)		

9 PROCEEDING ENTRIES

- 26-Jun-2023 FILED: Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Certificate of Compliance; Order Declining Special Action Jurisdiction and Denying Request for Stay; Minute Entry (Petitioner Velazquez)
- 26-Jun-2023 FILED: Appendix Petition for Review/Special Action; Certificate of Service (Petitioner Velazquez)
- 26-Jun-2023 FILED: Petitioner's Consolidated Motions for Stay of Petitioner's Petition for Review and for Expedited Processing of Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service (Petitioner Velazquez)
- 27-Jun-2023 FILED: Record from CofA: Electronic Record

Arizona Supreme Court
Criminal Petition for Review - Special Action

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9 PROCEEDING ENTRIES

5.

29-Jun-2023

On June 26, 2023, Petitioner Juan Velazquez filed a Petition for Review of a Special Action Decision of the Court of Appeals. In conjunction with his petition, Petitioner filed Petitioner's Consolidated Motions for Stay of Petitioner's Petition for Review and for Expedited Processing of Petition for Review of a Special Action Decision of the Court of Appeals.

Petitioner's consolidated motions provide no support or argument as to the basis for the requested stay and fails to provide good cause why the consolidated motions warrant relief.

Pursuant to Ariz. R. Crim. P. 32.16(a)(4)(A) motions for an extension of time for filing the petition for review are filed in the trial court. The same is true for a request for permission to file a delayed petition for review. See Ariz. R. Crim. P. 32.16(a)(4)(B). Therefore,

IT IS ORDERED denying the portion of Petitioner's consolidated motions requesting a stay of Petitioner's petition for review from the trial court's dismissal of Petitioner's initial petition for post-conviction relief without prejudice to Petitioner filing the appropriate motion in the trial court requesting to extend the time for filing the petition for review. See Ariz. R. Crim. P. 32.16 (a)(4)(A) and (b).

IT IS FURTHER ORDERED denying the portion of Petitioner's consolidated motions requesting expedited processing of the instant petition for review of a special action decision of the court of appeals without prejudice to Petitioner seeking expedited consideration in the event this Court grants review.

IT IS FURTHER ORDERED that the Real Party in Interest State of Arizona's response to Petitioner's Petition for Review of a Special Action Decision of the Court of Appeals is due in accordance with Ariz. R. Crim. P. 32.16(f).

IT IS FURTHER ORDERED that the State, at its earliest opportunity, shall advise this Court if the State will not file a response to the petition. (Hon James P. Beene)
6.

26-Jul-2023

FILED: The State of Arizona's Response to Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Certificate of Compliance (Real Party in Interest State)
7.

27-Nov-2023

FILED: Notice of Substitution of Counsel [Laura Chiasson Attorney of Record]; Certificate of Service (Real Party in Interest State)
8.

7-Mar-2024

On June 26, 2023, in Arizona Supreme Court case number CR-23-0163-PR Petitioner Velazquez filed a Petition for Review of a Special Action Decision of the Court of Appeals seeking review of the Court of Appeals' June 23, 2023 order declining special action jurisdiction and denying his request for stay. Petitioner challenges the superior court's rulings on May 30, 2023, June 14, 2023, and June 19, 2023, denying Petitioner's motion to amend his petition for post-conviction relief, motion for reconsideration, and motion for stay.

On June 26, 2023, Petitioner filed Petitioner's Consolidated Motions for Stay of Petitioner's Petition for Review and for Expedited Processing of Petition for Review of a Special Action Decision of the Court of Appeals. On June 29, 2023, the Court denied the request for stay, indicating that Petitioner could seek an extension of time to file his petition for review in superior court. The Court also denied Petitioner's request for expedited processing without prejudice to Petitioner seeking expedited consideration in the event the Court granted review.

Separately, on July 27, 2023, in Arizona Supreme Court case number CR-23-0170-PC, Petitioner filed a timely Petition for Review from a Dismissal of Post-Conviction Relief: Capital Case seeking review of the superior court's March 9, 2021 order dismissing his petition for post-conviction relief and April 6, 2021 order denying his motion for rehearing. In that case, the State obtained an extension to file its response in this Court, and, on January 18, 2024, the State filed a Notice of Stay indicating that the State's unopposed motion for a stay was granted by the superior court on October 24, 2023.

On January 19, 2024, the Court issued an order in CR-23-0170-PC staying that matter pending the superior court's final ruling on Petitioner's successive petition for post-conviction relief in Maricopa County Superior Court case CR2001-014970.

Therefore,

On the Court's own motion, and in the interest of judicial economy and efficiency,

IT IS ORDERED consolidating case number CR-23-0163-PR and CR-23-0170-PC, designating CR-23-0170-PC as the primary case number.

IT IS FURTHER ORDERED that the stay and all other orders in the Court's January 19, 2024 order in case number CR-23-0170-PC are incorporated in the consolidated matter.

IT IS FURTHER ORDERED amending the caption as referenced in this order. Any further filings in this matter shall reflect the consolidated caption. (Hon. Ann A. Scott Timmer)
9.

19-Mar-2024

FILED: Joint Status Report; Certificate of Service (Respondent State)