

Arizona Supreme Court
Criminal Petition for Review - Appeal

CR-24-0038-PR

STATE OF ARIZONA v ENRIQUE NESTOR OLIVARRIA

Appellate Case Information

Case Filed: 5-Feb-2024

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)

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

Emily Tyson-Jorgenson, Esq. (AZ Bar No. 38821)

Side 2. ENRIQUE NESTOR OLIVARRIA, Appellant

(Litigant Group) ENRIQUE NESTOR OLIVARRIA

- Enrique Nestor Olivarría

PRO SE

Attorneys for: Appellant

CASE STATUS

Feb 5, 2024.....Awaiting Petition for Review

Feb 5, 2024.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA 2 CA-CR 22-0175					
PIM CR2019-1938001			James E Marner, Authoring Judge of Order Comments: (none)		

13 PROCEEDING ENTRIES

- 5-Feb-2024 FILED: Motion to Extend Deadline for Petition for Review; Certificate of Service; Exhibit A (Appellant Olivarría)
- 6-Feb-2024 Appellant Olivarría filed a "Motion to Extend Deadline for Petition for Review" on February 5, 2024. Pursuant to Arizona Rules of Criminal Procedure, 31.6(e) and Arizona Rules of Civil Appellate Procedure, Rule 6(b), a motion for a procedural order must include a statement by the moving party of whether the other parties consent to, or object to, the entry of the order that is sought; or why the moving party was unable to contact the other parties before filing the motion, and the caption of a motion for procedural order must include the words, "Motion for Procedural Order." Therefore,

IT IS ORDERED the motion is denied without prejudice to Appellant's ability to file a motion in compliance with Arizona Rules of Crim. Proc. Rule 31.6(e) and ARCAP 6(b). This matter is subject to dismissal if a compliant motion or petition for review is not filed by February 12, 2024. (Tracie K. Lindeman Clerk)
- 5-Feb-2024 FILED: Exhibit A; Certificate of Service (Appellant Olivarría)
- 7-Feb-2024 FILED: Motion for Procedural Order: Motion for Extension of Time for Filing Petition for Review; Certificate of Service (Appellant Olivarría)
- 8-Feb-2024 A "Motion for Procedural Order: Motion for Extension of Time for Filing Petition for Review" (Appellant Olivarría) having been filed on February 7, 2024,

IT IS ORDERED granting an extension of time to file the petition for review on or before March 11, 2024. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by March 11, 2024. (Tracie K. Lindeman Clerk)
- 8-Feb-2024 FILED: Notice of Substitution of Counsel (Emily Tyson-Jorgenson Attorney of Record); Certificate of Service (Appellee State)
- 23-Feb-2024 FILED: Motion Status (Petitioner Olivarría, Pro Se)
- 15-Mar-2024 On February 23, 2024, Appellant Olivarría, Pro Se, filed "Motion Status," in the Court of Appeals. This Court received it on March 14, 2023. Appellant received an extension to file his petition for review to March 11, 2024. Sua sponte,

IT IS ORDERED extending the deadline for Appellant to file his petition for review until Tuesday, April 2, 2024. No further extensions will be granted absent extraordinary circumstances. (Hon James P Beene)

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| 9. | 1-Apr-2024 | FILED: Notice of Motion for Pagation [sic]; Petition for Review (Appellant Olivarría, Pro Se) |
| 10. | 2-Apr-2024 | <p>Appellant Olivarría, pro se, filed a "Notice of Motion for Pagation [sic]" on April 1, 2024. Pursuant to Arizona Rules of Criminal Procedure, 31.6(e), a motion for a procedural order must include a statement by the moving party of whether the other parties consent to, or object to, the entry of the order that is sought; or why the moving party was unable to contact the other parties before filing the motion, and the caption of a motion for procedural order must include the words, "Motion for Procedural Order." Therefore,</p> <p>IT IS ORDERED the motion is denied without prejudice to Petitioner's ability to file a motion in compliance with Arizona Rules of Crim. Proc. Rule 31.6(e). (Tracie K. Lindeman Clerk)</p> |
| 11. | 16-Apr-2024 | FILED: Motion for Procedural Order Requesting Pagation [sic] for Appeal PFR in the Supreme Court (Appellant Olivarría, Pro Se) |
| 12. | 16-Apr-2024 | FILED: Notice of Motion for Procedural Order/Extension of Time to File Petition for Review (Second Request) (Treated as Motion to File Amended Petition for Review) (Appellant Olivarría, Pro Se) |
| 13. | 18-Apr-2024 | <p>On April 16, 2024, Appellant Olivarría, pro se, filed a Motion for Extension of Time to File a Petition for Review which this Court is treating as a Motion to File an Amended Petition for Review together with a Motion for Extended Pagination.</p> <p>On February 8, 2024, Appellant was granted an extension of time to file the petition on or before March 11, 2024, and was granted a second extension of time to file the petition to and including April 2, 2024, and Appellant filed a non-compliant Petition for Review on April 1, 2024. After consideration,</p> <p>IT IS ORDERED striking Appellant's Petition for Review filed April 1, 2024.</p> <p>IT IS FURTHER ORDERED denying in part the Motion for Extended Pagination.</p> <p>IT IS FURTHER ORDERED granting Appellant's motion to file an amended petition for review. Appellant may file an amended petition for review that does not exceed 4,500 words or 16 pages on or before May 13, 2024. No further extension will be granted without a showing of extraordinary circumstances.</p> <p>IT IS FURTHER ORDERED that the format of the amended petition for review must comply with the Rules of Criminal Procedure, specifically, Rule 1.6(b), as incorporated by Rules 31.21(g) and 31.12(b). (Hon. Clint Bolick)</p> |