

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

1 CA-CR 22-0174 PRPC

STATE v. TRAVERSO

Appellate Case Information

Case Filed: 20-Apr-2022
 Case Closed:

Dept/Composition

Department E
 Hon. Samuel A Thumma
 Hon. Cynthia J Bailey
 Hon. David B Gass

Side 1. STATE OF ARIZONA, Petitioner/Cross-Respondent

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Petitioner/Cross-Respondent

Daniel Strange, Esq. (AZ Bar No. 22716)

Side 2. MICHAEL EUGENE TRAVERSO, Respondent/Cross-Petitioner

(Litigant Group) MICHAEL EUGENE TRAVERSO

- Michael Eugene Traverso

Attorneys for: Respondent/Cross-Petitioner

Michael D Kimerer, Esq. (AZ Bar No. 2492)
 Lori L Voepel, Esq. (AZ Bar No. 15342)
 Randal Boyd McDonald, Esq. (AZ Bar No. 32008)

CASE STATUS

Nov 27, 2023....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2006-160536-001			Katherine Cooper, Judge on PC		

DESCENDENT CASE(S)

ASC CR-23-0264-PR

CASE DECISION

26-Sep-2023 **OPINION**

Amended Per Order Filed 9-27-2023

Filed: **26-Sep-2023**

Mandate:

Cynthia Bailey.....Author
 Samuel Thumma.....Concur
 David Gass.....Concur in Part
 Dissent in Part

Decision Disposition
Review Granted
Petition for Relief Granted
Cross-Petition for Relief Denied

24 PROCEEDING ENTRIES

- 20-Apr-2022 FILED: Petition for Review; Certificate of Service; Exhs A-J; Exhs K-Z (Petitioner)
- 22-Apr-2022 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 06/06/2022. Amy M Wood - Author
- 10-May-2022 FILED: Notice of Appearance; Certificate of Service (Respondent)
- 10-May-2022 FILED: Unopposed Motion for Extension of Time Motion for Procedural Order (to File Response); Certificate of Service (Respondent)
- 12-May-2022 ORDERED: Unopposed Motion for Extension of Time Motion for Procedural Order (to File Response) (Respondent) = GRANTED. Due date EXTENDED from Friday, 05-20-2022 to Monday, 06-20-2022. FURTHER ORDERED: Denying the motion to extend the time to file a cross-petition for review. Benjamin A Armstrong ProTem Judge - Author
- 3-Jun-2022 FILED: e-Record on Appeal:
 Instruments/Minute Entries: Combined
 Disposition Report: 78
 Exhibits: None sent with e-Record
 (Includes transcripts dated 12/04/2006, 01/18/2007, 04/25/2007, 04/25/2007, 04/26/2007, 04/30/2007, 05/01/2007, 06/11/2007, 10/21/2021, 10/22/2021)

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7. 3-Jun-2022 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 04/25/2007 List # 1 3 4 5 8
Hearing Date: 10/21/2021 List # 1 2 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 45 46 47 48 49 50 51 52 53 54 55 56 57 in manila envelope
8. 8-Jun-2022 FILED: Motion for Leave to File Combined Response to State's Petition for Review and Cross-Petition for Review; Certificate of Service (Respondent)
9. 15-Jun-2022 FILED: Unopposed Motion for Second Extension of Time (to File Response to Petition for Review); Certificate of Service (Respondent)
10. 16-Jun-2022 ORDERED: Unopposed Motion for Second Extension of Time (to File Response to Petition for Review) (Respondent) = GRANTED. Due date EXTENDED from Monday, 06-20-2022 to Wednesday, 07-20-2022. Benjamin A Armstrong ProTem Judge - Author
11. 16-Jun-2022 FILED: Response to Motion for Leave to File Combined Response to State's Petition for Review and Cross-Petition for Review; Certificate of Service (Petitioner)
12. 21-Jun-2022 FILED: Reply in Support of Motion for Leave to File Combined Response to State's Petition for Review and Cross-Petition for Review; Certificate of Service (Petitioner)
13. 22-Jun-2022 ORDERED: Motion for Leave to File Combined Response to State's Petition for Review and Cross-Petition for Review (Respondent) = GRANTING the motion and permitting respondent to file a combined response and cross-petition for review not to exceed 12,000 words. Hon Kent E Cattani - Author
14. 20-Jul-2022 FILED: Combined Response to State's Petition for Review and Cross-Petition for Review; Certificate of Service; Certificate of Compliance; Appendix to Combined Response to State's Petition for Review and Cross-Petition for Review (Respondent/Cross-Petitioner)
15. 22-Jul-2022 FILED: Motion For Leave To File Combined Reply To Petition For Review And Response To Cross-Petition For Review And Extension Of Time To File Reply; Certificate Of Service - Motion For Leave To File Combined Reply To Petition For Review And Response To Cross-Petition For Review And Extension Of Time To File Reply (Petitioner/Cross-Respondent)
16. 26-Jul-2022 ORDERED: Motion for Leave to File Combined Reply to Petition for Review and Response to Cross-Petition for Review = GRANTED. Permitting petitioner/cross-respondent to file a combined reply to the petition for review and response to the cross-petition for review not to exceed 9,000 words. FURTHER ORDERED: Extension of Time to File Reply (Petitioner/Cross-Respondent) = GRANTED. Due date EXTENDED from Friday, 08-19-2022 to Monday, 09-19-2022. Benjamin A Armstrong ProTem Judge - Author
17. 19-Sep-2022 FILED: Combined Reply to State's Petition for Review and Response to Cross-Petition Filed By Defendant; Certificate of Service - Combined Reply to State's Petition for Review and Response to Cross-Petition Filed By Defendant; Exhibits (Respondent)
18. 29-Sep-2022 FILED: Reply in Support of Cross-Petition for Review; Certificate of Service; Certificate of Compliance (Respondent)
19. 26-Sep-2023 OPINION (Review Granted, Petition for Relief Granted, Cross-Petition for Relief Denied) Hon Cynthia J Bailey - Author; Hon Samuel A Thumma - Concur; Hon David B Gass - Concur in Part; Hon David B Gass - Dissent in Part
20. 26-Sep-2023 FILED: Opinion Distribution List
21. 27-Sep-2023 ORDERED: directing the Clerk of the Court to amend, by interlineation, the caption under Counsel to replace the firm name for Randal B. McDonald from "Arizona Justice Project, Phoenix" to "Law Office of Randal B. McDonald, Phoenix" so that it reads as follows: (See Order) Hon Cynthia J Bailey - Author
22. 19-Oct-2023 FILED: ASC Order filed 10/19/2023 re: extending time for filing Petition for Review to 11/27/2023; matter subject to dismissal if the petition for review is not filed by 11/27/2023.
23. 28-Nov-2023 FILED: Email Notice from ASC re: Petition for Review filed 11/27/2023; request for partial record
24. 28-Nov-2023 FILED: Letter forwarding partial record to Arizona Supreme Court