

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

1 CA-CR 22-0360 PRPC

STATE v. BOSQUEZ

Appellate Case Information

Case Filed: 18-Aug-2022

Case Closed: 19-Mar-2024

Reinstated x 1: 12-Apr-2024 Decision

Re-Closed:

Dept/Composition

Department B

Hon. Andrew M Jacobs
 Hon. Jennifer M Perkins
 Hon. David D Weinzweig

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)
 Kirsten Valenzuela, Esq. (AZ Bar No. 21369)

Side 2. JOSE LEWIS BOSQUEZ, Petitioner

(Litigant Group) JOSE LEWIS BOSQUEZ

- Jose Lewis Bosquez

Attorneys for: Petitioner

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

CASE STATUS

Apr 12, 2024....Reinstated Case

Mar 25, 2024....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2010-013094-001			Roy C Whitehead, Judge on PC		

DESCENDENT CASE(S)

ASC CR-24-0084-PR

CASE DECISION

06-Feb-2024 MEMORANDUM DECISION

Percurium

Andrew Jacobs.....Concur

Jennifer Perkins.....Concur

David Weinzweig.....Concur

Filed: 06-Feb-2024

Mandate:

Decision Disposition

Review Granted

Relief Denied

22 PROCEEDING ENTRIES

- 18-Aug-2022 FILED: Petition for Review; Denial Petitioner's Petition for Post-Conviction Relief; Certificate of Service (Petitioner)
- 19-Aug-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 10/03/2022. Amy M Wood - Author
- 19-Sep-2022 FILED: State's Response to Bosquez's Petition for Review from the dismissal of his successive PCR petition with Attachments and Appendix; State's Response to Bosquez's Petition for Review from the dismissal of his successive PCR petition-Certificate of Service; State's Response to Bosquez's Petition for Review from the dismissal of his successive PCR petition-Certificate of Compliance (Respondent)
- 30-Sep-2022 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 55 Exhibits: None sent with e-Record (Includes transcripts dated 02/28/2012, 05/25/2012)
- 3-Jan-2023 FILED: State's Motion to Stay Bosquez's Petition for Review of the Dismissal of his Successive Petition for Postconviction Relief; Certificate of Service for State's Motion to Stay Bosquez's Petition for Review of the Dismissal of his Successive Petition for Postconviction Relief (Respondent)
- 9-Jan-2023 ORDERED: State's Motion to Stay Bosquez's Petition for Review of the Dismissal of his Successive Petition for Postconviction Relief (Respondent) = GRANTED. Staying this review proceeding until 04/10/2023. FURTHER ORDERED: The stay will be automatically lifted without further order on 04/11/2023, unless before then petitioner or respondent files a notice of disposition, a motion to dismiss this review proceeding, or a motion to continue the stay. Benjamin A Armstrong ProTem Judge - Author

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7. 6-Apr-2023 FILED: State's Motion To Continue Stay Of Bosquez's Petition For Review Of The Dismissal Of His Successive Petition For Postconviction Relief; Certificate Of Service For State's Motion To Continue Stay Of Bosquez's Petition For Review Of The Dismissal Of His Successive Petition For Postconviction Relief (Respondent)
8. 12-Apr-2023 ORDERED: State's Motion To Continue Stay Of Bosquez's Petition For Review Of The Dismissal Of His Successive Petition For Postconviction Relief (Respondent) = GRANTED. Continuing stay of this review proceeding until 06/12/2023. FURTHER ORDERED: Stay will be automatically lifted without further order on 06/13/2023, unless before then petitioner or respondent files a notice of disposition, a motion to dismiss this review proceeding, or a motion to continue the stay. Benjamin A Armstrong ProTem Judge - Author
9. 8-Jun-2023 FILED: State's Motion to Continue Stay of Bosquez's Petition for Review from the Dismissal of his Successive Petition for Postconviction Relief; Certificate of Service for State's Motion to Continue Stay of Bosquez's Petition for Review from the Dismissal of his Successive Petition for Postconviction Relief (Respondent)
10. 12-Jun-2023 ORDERED: State's Motion to Continue Stay of Bosquez's Petition for Review from the Dismissal of his Successive Petition for Postconviction Relief (Respondent) = GRANTED. ORDERED: Continuing the stay of this review proceeding until 08/14/2023. FURTHER ORDERED: Stay will be automatically lifted without further order on 08/15/2023, unless before then petitioner or respondent files a notice of disposition, a motion to dismiss this review proceeding, or a motion to continue the stay. Benjamin A Armstrong ProTem Judge - Author
11. 8-Aug-2023 FILED: State's Motion to Continue Stay of Bosquez's Petition for Review from the Dismissal of his Successive Petition for Postconviction Relief; Certificate of Service for State's Motion to Continue Stay of Bosquez's Petition for Review of the Dismissal of his Successive Petition for Postconviction Relief (Respondent)
12. 14-Aug-2023 ORDERED: State's Motion to Continue Stay of Bosquez's Petition for Review from the Dismissal of his Successive Petition for Postconviction Relief (Respondent) = GRANTED and continuing the stay of this review until 10/16/2023. FURTHER ORDERED: Stay will be automatically lifted without further order on 10/17/2023, unless before then Petitioner or Respondent files a notice of disposition, a motion to dismiss the review proceeding, or a motion to continue the stay. Geoffrey P Butzine ProTem Judge - Author
13. 3-Oct-2023 ORDERED: Lifting the stay effective immediately. Benjamin A Armstrong ProTem Judge - Author
14. 6-Feb-2024 MEMORANDUM DECISION (Review Granted, Relief Denied) Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur; Hon David D Weinzweig - Concur PERCURRIUM
15. 6-Feb-2024 FILED: Decision Distribution Notification
16. 19-Mar-2024 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.
17. 19-Mar-2024 FILED: Letter dated 03/19/2024, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report
18. 26-Mar-2024 FILED: ASC Order filed 03/26/2024 re: dismissing the Petition for Review as untimely.
19. 10-Apr-2024 FILED: ASC Order filed 04/10/2024 re: ORDERED: The court of appeals recall the mandate that issued in this matter on 03/19/2024. FURTHER ORDERED: Granting an extension of time to file the petition for review in this matter to the date of this order. FURTHER ORDERED: Accepting the petition for review filed 03/25/2024, and dismissed 03/26/2024, as timely filed. The petition will be considered in due course.
20. 11-Apr-2024 FILED: Email Notice from ASC re: Petition for Review filed 3/25/24; request for partial record
21. 12-Apr-2024 FILED: Letter forwarding partial record to Arizona Supreme Court
22. 12-Apr-2024 ORDERED: Reinstating this Petition for Review of Post-Conviction Relief for the purpose of transferring documents requested by the Arizona Supreme Court for review. Amy M Wood - Author