

Court of Appeals, Division One

Criminal

1 CA-CR 22-0386

STATE v. MARINAKIS

Appellate Case Information

Case Filed: 1-Sep-2022
Case Closed:

Dept/Composition

Department D
Hon. David D Weinzweig
Hon. Michael S Catlett
Hon. Maria Elena Cruz

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Brian Coffman, Esq. (AZ Bar No. 34580)

Side 2. CHRISTOPHER LEE MARINAKIS, Appellant

(Litigant Group) CHRISTOPHER LEE MARINAKIS

- Christopher Lee Marinakis

Attorneys for: Appellant

Woodrow Thompson, Esq. (AZ Bar No. 21356)
Hannah H Porter, Esq. (AZ Bar No. 29842)
Joshua I Fisher, Esq. (AZ Bar No. 24890)

CASE STATUS

Apr 9, 2024.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2018-108548-001, Manslaughter-Reckless, Class 2; Endangerment, Class 6, 14 Years, ADOC; 2.5 Years, ADOC, Frank W Moskowitz, Sentencing, JURY.

DESCENDENT CASE(S)

ASC CR-24-0051-PR

CASE DECISION

09-Jan-2024 MEMORANDUM DECISION

Michael Catlett.....Author
David Weinzweig.....Concur
Maria Cruz.....Concur

Filed: 09-Jan-2024 Mandate:

Table with 1 column: Decision Disposition. Row 1: Affirmed

101 PROCEEDING ENTRIES

- 1. 1-Sep-2022 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/29/22. Notification sent to Court Reporters dated 08/31/2022.
2. 6-Sep-2022 FILED: Appellate Clerk Notice (31.2(g))
3. 8-Sep-2022 ORDERED: Affirming the appointment of the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Lisa Bradley, Tara Kramer, Michele Kaley, Scott Kindle, Catherine Turner and Vanessa Gartner transcripts due by 10/24/2022. Benjamin A Armstrong ProTem Judge - Author
4. 8-Sep-2022 FILED: Reporter's Transcript - 03/16/2022 (Lisa Bradley)
5. 9-Sep-2022 FILED: Designation of Record for Appeal (Appellant)
6. 10-Sep-2022 FILED: Reporter's Transcript - 01/31/2022 (Lisa Bradley)
7. 10-Sep-2022 FILED: Reporter's Transcript - 01/31/2022 (Lisa Bradley)
8. 10-Sep-2022 FILED: Reporter's Transcript - 01/24/2022 - AM Session only (Lisa Bradley)
9. 11-Sep-2022 FILED: Reporter's Transcript - 02/02/2022 (Lisa Bradley)
10. 11-Sep-2022 FILED: Reporter's Transcripts - 02/26/2022 (Lisa Bradley)
11. 11-Sep-2022 FILED: Reporter's Transcripts - 02/01/2022 (Lisa Bradley)

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12. 13-Sep-2022 ORDERED: Court Reporter Monica S Hill-Morrisette transcripts dated 07/09/2021; 09/09/2021; 10/04/2021; 10/13/2021 due by 10/28/2022. FURTHER ORDERED: Court Reporter Catherine Turner transcript dated 02/22/2019 due by 10/28/2022. FURTHER ORDERED: Reaffirming this previously set due date of 10/24/2022 for transcript dated 01/18/2022, for Court Reporter Catherine Turner. FURTHER ORDERED: Court Reporter Treva Colwell transcript dated 11/26/2019 due by 10/28/2022. FURTHER ORDERED: Ken Crenshaw transcripts dated 03/23/2022; 11/02/2021 due by 10/28/2022. FURTHER ORDERED: Court Reporter Kristin DeCasas transcripts dated 06/15/2021; 10/30/2019 due by 10/28/2022. FURTHER ORDERED: Court Reporter Diane Donoho transcripts dated 01/05/2022; 12/16/2021 due by 10/28/2022. FURTHER ORDERED: Court Reporter Luz Franco transcripts dated 01/29/2020; 06/26/2019; 03/07/2019; 11/07/2018 due by 10/28/2022. FURTHER ORDERED: Court Reporter Crystal Hereford transcript dated 07/11/2018 due by 10/28/2022. FURTHER ORDERED: Court Reporter Hilda Lopez transcript dated 09/16/2019 due by 10/28/2022. FURTHER ORDERED: Court Reporter Hope Yeager transcript dated 03/03/2021 due by 10/28/2022. Hon David B Gass - Author
13. 15-Sep-2022 FILED: Reporter's Transcript - 01/24/2022 - Jury Trial PM Session (Tara L. Kramer)
14. 16-Sep-2022 FILED: Reporter's Transcript - 04/28/2022 (Lisa A. Bradley)
15. 18-Sep-2022 FILED: Reporter's Transcript - 01/20/2022 - Status Conference (Lisa Bradley)
16. 21-Sep-2022 FILED: Reporter's Transcript - 05/19/2022 (Lisa Bradley)
17. 23-Sep-2022 FILED: Reporter's Transcripts - 02/07/22 - Jury Trial - (Tara L. Kramer)
18. 25-Sep-2022 FILED: Reporter's Transcript - 01/21/2022 (Lisa Bradley)
19. 30-Sep-2022 FILED: Reporter's Transcript - 05/31/2022 - Jury Trial AM (Tara L. Kramer)
20. 30-Sep-2022 FILED: Reporter's Transcript - 05/23/2022 (Lisa Bradley)
21. 4-Oct-2022 FILED: Reporter's Transcript - 05/24/2022 (Lisa Bradley)
22. 6-Oct-2022 FILED: Reporter's Transcript - 01/26/2022 (Lisa Bradley)
23. 10-Oct-2022 FILED: Reporter's Transcript - 06/07/2022 (Lisa Bradley)
24. 11-Oct-2022 FILED: Reporter's Transcript - 06/06/2022 - Jury Trial (Tara L. Kramer)
25. 12-Oct-2022 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 07/09/2021 List # 1 2 3 4 in manila envelope  
Hearing Date: 05/19/2022 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 30 31 32 33 34 35 36 37 38 40 41 42 43 44 63 64 71 72 73 74 75 76 in manila envelope  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope
26. 12-Oct-2022 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: 276  
Exhibits: None sent with e-Record
27. 13-Oct-2022 FILED: Reporter's Transcript - 05/31/2022 - Trial (Michele Kaley)
28. 13-Oct-2022 FILED: Reporter's Transcript - 06/01/2022 - Trial (Michele Kaley)
29. 14-Oct-2022 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
30. 14-Oct-2022 FILED: Reporter's Transcript - 05/25/2022 (Lisa Bradley)
31. 17-Oct-2022 FILED: Reporter's Transcript - 12/16/2021 - Trial Procedures Conference (Diane Donoho)
32. 17-Oct-2022 FILED: Reporter's Transcript - 01/05/2022 - Status Conference (Diane Donoho)
33. 17-Oct-2022 FILED: Reporter's Transcript - 08/19/2022 (Lisa Bradley)
34. 17-Oct-2022 FILED: Letter, 10/17/2022, from Court Reporter Catherine Turner, requesting an extension of time to file transcripts
35. 17-Oct-2022 FILED: Letter, 10/17/2022, from Court Reporter Catherine Turner, requesting an extension of time to file transcripts (Duplicate)
36. 18-Oct-2022 FILED: Reporter's Transcript - 11/07/2018 - Complex Case Management Conference (Luz Franco)
37. 18-Oct-2022 FILED: Reporter's Transcript - 03/07/2019 - Final Trial Management Conference (Luz Franco)

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38. 18-Oct-2022 FILED: Reporter's Transcript - 06/26/2019 - Final Trial Management Conference (Luz Franco)
39. 18-Oct-2022 FILED: Reporter's Transcript - 01/29/2020 - Complex Case Management Conference (Luz Franco)
40. 18-Oct-2022 FILED: Reporter's Transcript - 11/26/2019 - Complex Case Management Conference (Trevia Colwell)
41. 18-Oct-2022 ORDERED: Letter, 10/17/2022, from Court Reporter Catherine Turner, requesting an extension of time to file transcripts = GRANTED. Due Date EXTENDED to 11/23/2022 for transcript dated 01/18/2022. FURTHER ORDERED: Due Date EXTENDED to 11/28/2022 for transcript dated 02/22/2019 or OSC set for 12/07/2022. Hon David B Gass - Author
42. 21-Oct-2022 FILED: Reporter's Transcript - 10/30/2019 - Oral Argument (Kristin DeCasas)
43. 21-Oct-2022 FILED: Reporter's Transcript - 06/15/2021 - Oral Argument (Kristin DeCasas)
44. 21-Oct-2022 FILED: Reporter's Transcript - 01/31/2022 - Trial Day 5 - Afternoon (Scott Kindle)
45. 21-Oct-2022 FILED: Reporter's Transcript - 05/12/2022 - Settlement Conference and Trial Procedure Conference (Scott Kindle)
46. 21-Oct-2022 FILED: Reporter's Transcript - 03/03/2021 - Final Trial Management Conference (Hope J Yeager)
47. 22-Oct-2022 FILED: Reporter's Transcript - 01/19/2022 (Lisa Bradley)
48. 24-Oct-2022 FILED: Reporter's Transcripts - 01/18/2022 - Trial Procedure Conference (Vanessa Gartner)
49. 25-Oct-2022 ORDERED: Upon presentation of this order, unsealing the confidential Court Information Sheets (I.O.R. 4 and 10); the Random Jury Lists (I.O.R. 179 and 218); the Email dated May 24, 2022 (I.O.R. 195); the Jury Questionnaires (I.O.R. 219, 220, 221, 222, 223, and 224); and the Presentence Supporting Documents (I.O.R. 236) for parties/agents in this appeal only. Benjamin A Armstrong ProTem Judge - Author
50. 28-Oct-2022 FILED: Motion for Extension of Time (Time to File Transcripts)(Monica S Hill-Morrisette)
51. 30-Oct-2022 FILED: Reporter's Transcript - 10/04/2021 - Final Trial Management Conference (Monica S Hill-Morrisette)
52. 30-Oct-2022 FILED: Reporter's Transcript - 09/09/2021 - Final Trial Management Conference (Monica S Hill-Morrisette)
53. 30-Oct-2022 FILED: Reporter's Transcript - 10/13/2021 - Oral Argument (Monica S Hill-Morrisette)
54. 31-Oct-2022 ORDERED: Ken Crenshaw transcripts dated 11/02/2021; 03/23/2022 due by 11/30/2022 or OSC set for 12/07/2022. Hon David B Gass - Author
55. 1-Nov-2022 ORDERED: Court Reporter Hilda E Lopez set for OSC on 11/16/2022 for transcript dated 09/16/2019. Hon David B Gass - Author
56. 1-Nov-2022 ORDERED: Court Reporter Crystal Hereford set for OSC on 11/16/2022 for transcript dated 07/11/2018. Hon David B Gass - Author
57. 1-Nov-2022 ORDERED: Motion for Extension of Time (Time to File Transcripts)(Monica S Hill-Morrisette) = GRANTED. Due Dates EXTENDED to 11/28/2022 for Transcripts dated 10/13/2021, 10/04/2021, 09/09/2021, 07/09/2021 or OSC set for 12/07/2022. Hon David B Gass - Author
58. 1-Nov-2022 FILED: Reporter's Transcript - 09/16/2019 - Evidentiary Hearing (Hilda Lopez)
59. 9-Nov-2022 FILED: Reporter's Transcript - 02/22/2019 - Settlement Conference (Catherine Turner)
60. 9-Nov-2022 FILED: Reporter's Transcript - 01/18/2022 - Trial Procedure Conference (Catherine Turner)
61. 16-Nov-2022 FILED: Reporter's Transcript - 07/11/2018 - Oral Argument (Crystal Hereford)
62. 28-Nov-2022 FILED: Reporter's Transcript - 07/09/2021 - Evidentiary Hearing (Monica S Hill-Morrisette)
63. 6-Dec-2022 FILED: Motion to Extend Time to File Transcripts (Time to File Transcripts)(Ken Crenshaw)
64. 7-Dec-2022 ORDERED: Motion to Extend Time to File Transcripts (Time to File Transcripts)(Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 12/30/2022 for Transcripts dated 03/23/2022, 11/02/2021 or OSC set for 01/04/2023. FURTHER ORDERED: Vacating the Order to Show Cause hearing on 12/07/2022 for Ken Crenshaw. Hon David B Gass - Author
65. 28-Dec-2022 FILED: Reporter's Transcript - 11/02/2021 - Trial Assignment (Daphne Morgan)
66. 28-Dec-2022 FILED: Reporter's Transcript - 03/23/2022 - Status Conference (Daphne Morgan)
67. 30-Dec-2022 FILED: Notice of Completion of Record

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68. 3-Jan-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
69. 23-Jan-2023 FILED: Motion for Substitution of Counsel; Certificate of Service (Appellant)
70. 30-Jan-2023 ORDERED: Motion for Substitution of Counsel (Appellant) = GRANTING the motion and substituting Gallagher and Kennedy as counsel for appellant for all remaining proceedings on appeal. Benjamin A Armstrong ProTem Judge - Author
71. 2-Feb-2023 FILED: Unopposed Motion for Procedural Order Extending Deadline to File Opening Brief; Certificate of Service (Appellant)
72. 3-Feb-2023 ORDERED: Unopposed Motion for Procedural Order Extending Deadline to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-13-2023 to Thursday, 03-30-2023. Benjamin A Armstrong ProTem Judge - Author
73. 30-Mar-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
74. 11-Apr-2023 FILED: Notice of Appearance; Certificate of Service (Appellee)
75. 3-May-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
76. 3-May-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 05-09-2023 to Thursday, 06-08-2023. Benjamin A Armstrong ProTem Judge - Author
77. 5-Jun-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
78. 6-Jun-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Thursday, 06-08-2023 to Monday, 07-10-2023 or OSC set on 07/19/2023. Benjamin A Armstrong ProTem Judge - Author
- [VACATED per order filed 07/18/2023]
79. 6-Jul-2023 FILED: Expedited Motion for Procedural Order (Third and Final Extension for Answering Brief); Certificate of Service (Appellee)
80. 7-Jul-2023 FILED: Appellant's Response to Expedited Motion for Procedural Order Extending Deadline to File Answering Brief; Certificate of Service (Appellant)
81. 10-Jul-2023 ORDERED: Deferring ruling on the motion to the order to show cause hearing set for 07/19/2023, before the Honorable Randall M. Howe. Benjamin A Armstrong ProTem Judge - Author
82. 18-Jul-2023 ORDERED: No later than 07/28/2023, attorney Brian Coffman shall file in this Court the answering brief. FURTHER ORDERED: No later than 09/01/2023, appellant's counsel shall file in this Court the reply brief. FURTHER ORDERED: Vacating OSC set for 07/19/2023. Hon David B Gass - Author
83. 28-Jul-2023 FILED: Motion for Procedural Order (Motion to Exceed Word Limit) (Answering Brief); Certificate of Service (Appellee)
84. 28-Jul-2023 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
85. 7-Aug-2023 ORDERED: Motion for Procedural Order (Motion to Exceed Word Limit) (Answering Brief) (Appellee) = GRANTED and accepting the answering brief filed 07/28/2023. FURTHER ORDERED: Any reply brief remains due by 09/01/2023. Hon David B Gass - Author
86. 25-Aug-2023 CLNDR: CONFERENCE, Department D, 10-11-23, CONFERENCE ROOM.
87. 29-Aug-2023 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
88. 1-Sep-2023 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
89. 6-Sep-2023 FILED: Request for Oral Argument; Certificate of Service (Appellant)
90. 7-Sep-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
91. 29-Sep-2023 ORDERED: Vacating conference set in this matter for 10/11/2023. FURTHER ORDERED: Resetting conference for 11/08/2023. FURTHER ORDERED: Scheduling oral argument for Wednesday, 11/08/2023 at 10:15 a.m. in Courtroom #1. Hon David D Weinzwieg - Author
92. 13-Oct-2023 FILED: Return Receipt Re Oral Argument (Appellee)
93. 27-Oct-2023 FILED: Return Receipt Re Oral Argument (Appellant)
94. 8-Nov-2023 FILED: Sign-in Sheet/Case is Under Advisement as of 11/08/2023
95. 9-Jan-2024 MEMORANDUM DECISION (Affirmed) Hon Michael S Catlett - Author; Hon David D Weinzwieg - Concur; Hon Maria Elena Cruz - Concur

**Court of Appeals, Division One**

**Criminal**

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**STATE v. MARINAKIS**

**101 PROCEEDING ENTRIES**

- 96. 9-Jan-2024 FILED: Decision Distribution Notification
- 97. 23-Jan-2024 FILED: State's Motion for Publication; Certificate of Service (Appellee)
- 98. 21-Feb-2024 ORDERED: Denying Appellee's Motion for Publication, filed 01/23/2024. Hon Michael S Catlett - Author
- 99. 26-Feb-2024 FILED: ASC Order filed 02/26/2024 re: extending time for filing Petition for Review to 04/08/2024; matter subject to dismissal if the petition for review is not filed by 04/08/2024.
- 100. 8-Apr-2024 FILED: Email Notice from ASC re: Petition for Review filed 04/08/24; request for partial record
- 101. 9-Apr-2024 FILED: Letter forwarding partial record to Arizona Supreme Court