

Court of Appeals, Division One

Criminal

1 CA-CR 22-0387

STATE v. SIDOR

Appellate Case Information

Case Filed: 31-Aug-2022
Case Closed:

Dept/Composition

Department B
Hon. Michael J Brown
Hon. Andrew M Jacobs
Hon. David B Gass

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Jacob R Lines, Esq. (AZ Bar No. 22560)

Side 2. JOHN JOSEPH SIDOR, Appellant

(Litigant Group) JOHN JOSEPH SIDOR

- John Joseph Sidor

Attorneys for: Appellant

Virginia L Crews, Esq. (AZ Bar No. 25426)
Shawn B Hamp, Esq. (AZ Bar No. 19811)
L Matthew Springer, Esq. (AZ Bar No. 21338)
Troy Anderson, Esq. (AZ Bar No. 33948)
Reed Weisberg, Esq. (AZ Bar No. 33604)

CASE STATUS

Aug 29, 2023....Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MOH S8015CR202100051	Transportation of Narcotic Drugs for Sale, Class 2; Transportation of Dangerous Drugs for Sale (Methamphetamine), Class 2	9.25 Years, ADOC; 10 Years, ADOC	Derek C Carlisle, Sentencing	JURY	

41 PROCEEDING ENTRIES

- 31-Aug-2022 FILED: Notice of Appeal from Mohave County Superior Court filed 08/24/22. Notification sent to Court Reporters dated 08/30/2022.
- 31-Aug-2022 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None sent with e-Record
- 6-Sep-2022 FILED: Appellate Clerk Notice (31.2(g))
- 8-Sep-2022 ORDERED: Directing appellant to make arrangements with the court reporter(s) to pay for the preparation of the transcripts by 10/07/2022. FURTHER ORDERED: Directing appellant to file a notice in this court by 10/17/2022, as to the arrangements made. If appellant fails to file a notice, the court will dismiss this appeal. FURTHER ORDERED: That, if applicable, appellant may file in the superior court a motion to proceed as indigent with a supporting affidavit as required by Rule 31.5(a)(2). Counsel Virginia Crews must assist appellant with the request. Appellant must file a copy of the request in this court by 10/27/2022. Benjamin A Armstrong ProTem Judge - Author
- 29-Sep-2022 FILED: Requested to Stay Time of Transcription; This is Judge Armstrong's Order; This is Court of Appeals Order to transcribe
- 4-Oct-2022 ORDERED: Requested to Stay Time of Transcription; This is Judge Armstrong's Order; This is Court of Appeals Order to transcribe = DENYING the request to stay as unnecessary. FURTHER ORDERED: Affirming this court's order of 09/08/2022 that no transcripts are due to be filed in this matter until further order of the court. The court will order the preparation of transcripts and set a deadline to file those transcripts when the court receives notice that appellant has made financial arrangements for the transcripts or when the court receives notice that the superior court has granted appellant's application to proceed as an indigent. FURTHER ORDERED: Affirming this court's order of 09/08/2022 providing that if appellant does not timely comply with the order regarding financial arrangements or applying to proceed as an indigent on appeal, the court will dismiss this matter. Benjamin A Armstrong ProTem Judge - Author
- 7-Oct-2022 FILED: Court Reporter Affidavit of 10 Nonsatisfactory Financial Arrangements (Steve L Garwood)
- 17-Oct-2022 FILED: Notice of Financial Arrangements for Payment of Transcripts; Certificate of Service (Appellant)

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9. 17-Oct-2022 FILED: Notice of Appearance; Certificate of Service, Re: Notice of Appearance (Appellant)
10. 20-Oct-2022 ORDERED: Court Reporter Steven Garwood transcripts due by 12/05/2022. Benjamin A Armstrong ProTem Judge - Author
11. 20-Oct-2022 FILED: Motion Extension of Transcripts (Appellant Pro Per)
12. 28-Oct-2022 ORDERED: Advising appellant that appellant's counsel, Virginia Crews, received a copy of the court's order and has fully complied with the order. Benjamin A Armstrong ProTem Judge - Author
13. 7-Nov-2022 FILED: Reporter's Transcript - 08/16/2022 - Judgment & Sentencing (Steve L Garwood)
14. 7-Nov-2022 FILED: Reporter's Transcript - 06/27/2022 - Trial Day 1 of 3 (Steve L Garwood)
15. 7-Nov-2022 FILED: Reporter's Transcript - 06/28/2022 - Trial Day 2 of 3 (Steve L Garwood)
16. 7-Nov-2022 FILED: Reporter's Transcript - 06/29/2022 - Trial Day 3 of 3 (Steve L Garwood)
17. 7-Nov-2022 FILED: Reporter's Transcript - 07/26/2022 - Judgment & Sentencing (Steve L Garwood)
18. 9-Nov-2022 FILED: Reporter's Transcript - 07/26/2022 - Judgment and Sentencing (Steve L Garwood)
19. 4-Jan-2023 FILED: Notice of Completion of Record
20. 21-Feb-2023 FILED: Appellant's Opening Brief; Certification of Compliance; Certificate of Service Re: Appellant's Opening Brief; Party Contact Information Sheet (Appellant)
21. 21-Feb-2023 FILED: Appendix to Appellant's Opening Brief; Certificate of Service Re: Appendix to Appellant's Opening Brief (Appellant)
22. 6-Mar-2023 FILED: Notice of Appearance; Certificate of Service (Appellee)
23. 22-Mar-2023 FILED: Memorandum: Technical Issues Impacting Electronic Filing (A. Wood)
24. 22-Mar-2023 FILED: Motion to Expand the Record Motion for Extension of time to File Answering Brief; Certificate of Service (Appellee)
25. 30-Mar-2023 ORDERED: Motion to Expand the Record Motion for Extension of time to File Answering Brief (Appellee) = GRANTED. Court Reporters Kim Faehn and Chelsea Voigt transcripts due 04/27/2023. FURTHER ORDERED: Motion to Expand the Record Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 04-03-2023 to Tuesday, 05-30-2023. Benjamin A Armstrong ProTem Judge - Author
26. 5-Apr-2023 FILED: Reporter's Transcript - 07/16/2021 - Hearing on Motion to Suppress/Closing Arguments (Chelsea Voigt)
27. 10-Apr-2023 FILED: Reporter's Transcript - 07/16/2021 - Hearing on Motion to Suppress/Closing Arguments (Chelsea Voigt)
28. 17-Apr-2023 FILED: Reporter's Transcript - 06/17/2021 - Evidentiary Hearing re: Motion to Suppress (Kimberly Faehn)
29. 24-May-2023 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
30. 13-Jun-2023 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service, Re: Appellant's Reply Brief (Appellant)
31. 22-Jun-2023 FILED: Appellant's Request for Oral Argument; Certificate of Service - Appellant's Request for Oral Argument (Appellant)
32. 22-Jun-2023 FILED: Certificate of Service - Appellant's Request for Oral Argument (Duplicate) (Appellant)
33. 27-Jun-2023 ORDERED: Appellant's Request for Oral Argument (Appellant) = GRANTED. Hon Kent E Cattani - Author
34. 28-Jun-2023 CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 8-29-23, 10:15 am, COURTROOM 2.
35. 30-Jun-2023 FILED: Notice of Oral Argument
36. 6-Jul-2023 FILED: Return Receipt for Notice of Oral Argument (Appellant)
37. 17-Jul-2023 FILED: Return Receipt for Notice of Oral Argument (Appellee)
38. 29-Aug-2023 FILED: Sign-in Sheet/Case is Under Advisement as of 08/29/2023

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39. 30-Aug-2023 ORDERED: Both parties file simultaneous supplemental briefing addressing whether, and if so, how this Court's review of the superior court's consideration of and reliance on the DEASIL data should be affected by the facts that: (1) the officer did not have a reasonable articulable suspicion of drug trafficking when he represented he did to the Drug Enforcement Administration; and (2) the officer thus made a false representation to the Drug Enforcement Administration as a necessary step to obtaining its data, which he then relied on in detaining Appellant. FURTHER ORDERED: Briefs shall be no longer than ten (10) pages, and shall be filed at a time to which counsel mutually agree after consultation, but not later than 5 p.m. on 09/20/2023. Hon Michael J Brown - Author
40. 20-Sep-2023 FILED: Appellant's Supplemental Brief, Re: DEASIL; Certificate of Compliance; Certificate of Service – Appellant's Supplemental Brief, Re: Deasil (Appellant)
41. 20-Sep-2023 FILED: Appellee's Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellee)