

Court of Appeals, Division One

Criminal

1 CA-CR 22-0591

STATE v. FLOYD

Appellate Case Information

Case Filed: 19-Dec-2022

Case Closed: 16-Jan-2024

Reinstated x 1: 31-May-2024 **Decision**

Re-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

Casey Ball, Esq. (AZ Bar No. 34987)

Side 2. JONATHAN EUGENE FLOYD, Appellant

(Litigant Group) JONATHAN EUGENE FLOYD

- Jonathan Eugene Floyd

Attorneys for: Appellant

Stephen L Duncan, Esq. (AZ Bar No. 14403)

CASE STATUS

May 30, 2024....**Reinstated Case**

May 28, 2024....**Pending in ASC**

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV P1300CR202001399	See File	See File	Debra R Phelan, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-24-0090-PR

CASE DECISION

12-Dec-2023 MEMORANDUM DECISION

Andrew Jacobs.....Author

Michael Brown.....Concur

David Gass.....Concur

Filed: **12-Dec-2023**

Mandate: **16-Jan-2024**

Decision Disposition

Affirmed

51 PROCEEDING ENTRIES

- 19-Dec-2022 FILED: Notice of Appeal from Yavapai County Superior Court filed 12/05/22. Notification sent to Court Reporters dated 12/07/2022.
- 19-Dec-2022 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None sent with e-Record
- 19-Dec-2022 FILED: Additional Record on Appeal
Physical Filing: States 2nd Filing of Additional Evidence for the Court's Consideration Regarding the State's Notice of Intent (includes CD)
- 28-Dec-2022 FILED: Appellate Clerk Notice (31.2(g))
- 29-Dec-2022 ORDERED: Directing the Contract Administrator of the Yavapai County Public Defender to assign new contract counsel to represent appellant in this appeal and to provide this court the name of assigned counsel by 01/12/2023. FURTHER ORDERED: That additional orders regarding the preparation and filing of transcripts will be issued once the court receives the name of contract counsel. Benjamin A Armstrong ProTem Judge - Author
- 29-Dec-2022 FILED: Request for Extension of Time (Time to File Transcript)(Lisa A Chaney)
- 30-Dec-2022 ORDERED: Request for Extension of Time (Time to File Transcript)(Lisa A Chaney) = GRANTED. Due Dates EXTENDED to 02/21/2023 for Transcripts dated 10/24/2022, 10/21/2022 or OSC 03/01/2023. Hon David B Gass - Author
- 5-Jan-2023 FILED: Request for Extension of Time (Time to File Transcript)(Susanne Nardozzi)
- 9-Jan-2023 ORDERED: Request for Extension of Time (Time to File Transcript)(Susanne Nardozzi) = GRANTED. Due Dates EXTENDED to 02/21/2023 for Transcripts dated 10/24/2022, 09/26/2022 or OSC set for 03/01/2023. Hon David B Gass - Author

Court of Appeals, Division One**Criminal****1 CA-CR 22-0591****STATE v. FLOYD****51 PROCEEDING ENTRIES**

10. 12-Jan-2023 FILED: Reporter's Transcript - 12/05/2022 - Hearing to Prove Priors / Judgement of Guilt and Sentence (Mina G Hunt)
11. 18-Jan-2023 FILED: Motion for Extension of Time (Time to File Transcripts)(Laura A Ashbrook)
12. 20-Jan-2023 ORDERED: Order Extending Time to Assign Appellate Counsel = GRANTED. Extending the time to assign new contract counsel to represent appellant in this appeal and provide this court the name of assigned counsel to 02/21/2023. Benjamin A Armstrong ProTem Judge - Author
13. 25-Jan-2023 ORDERED: Motion for Extension of Time (Time to File Transcripts)(Laura A Ashbrook) = GRANTED. Due Dates EXTENDED to 02/21/2023 for Transcripts dated 09/19/2022, 10/28/2022, 10/27/2022, 10/26/2022, 10/25/2022, 10/21/2022 or OSC set for 03/01/2023. Hon David B Gass - Author
14. 26-Jan-2023 ORDERED: Vacating the order to show cause hearing set on 03/01/2023, for court reporter Laura Ashbrook. The transcripts of the proceedings that took place on 09/19/2022; 10/21/2022; 10/25/2022; 10/26/2022; 10/27/2022; and 10/28/2022, remain due by 02/21/2023. Benjamin A Armstrong ProTem Judge - Author
15. 30-Jan-2023 FILED: Notice of Assignment; Certificate of Service (Appellant)
16. 2-Feb-2023 FILED: Reporter's Transcript - 10/21/2022 - Final Pretrial Conference and Jury Trial Day 1 (AM)(Lisa A Chaney)
17. 4-Feb-2023 FILED: Reporter's Transcript - 10/24/2022 - Jury Trial Day 2 (Lisa A Chaney)
18. 13-Feb-2023 FILED: Reporter's Transcript - 09/19/2022 - Evidentiary Hearing (Laura A Ashbrook)
19. 13-Feb-2023 FILED: Reporter's Transcript - 10/21/2022 - Jury Trial (Laura A Ashbrook)
20. 13-Feb-2023 FILED: Reporter's Transcript - 10/25/2022 - Jury Trial (Laura A Ashbrook)
21. 13-Feb-2023 FILED: Reporter's Transcript - 10/26/2022 - Jury Trial (Laura A Ashbrook)
22. 16-Feb-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
23. 17-Feb-2023 FILED: Reporter's Transcript - 10/27/2022 - Jury Trial Day 5 (Laura A Ashbrook)
24. 17-Feb-2023 FILED: Reporter's Transcript - 10/28/2022 - Jury Trial Day 6 (Laura A Ashbrook)
25. 21-Feb-2023 FILED: Reporter's Transcript - 09/26/2022 - Evidentiary Hearing (Susanne Nardozzi)
26. 21-Feb-2023 FILED: Reporter's Transcript - 10/24/2022 - Jury Trial Day 2 (Susanne Nardozzi)
27. 23-Feb-2023 FILED: Notice of Completion of Record
28. 7-Apr-2023 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
29. 11-Apr-2023 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-10-2023 to Wednesday, 05-10-2023. Benjamin A. Armstrong, Judge Pro Tempore
30. 10-May-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
31. 12-May-2023 FILED: Notice of Appearance; Certificate of Service (Appellee)
32. 13-Jun-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
33. 13-Jun-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 06-26-2023 to Wednesday, 07-26-2023 Benjamin A Armstrong ProTem Judge - Author
34. 24-Jul-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
35. 24-Jul-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Wednesday, 07-26-2023 to Wednesday, 08-02-2023. Geoffrey P Butzine ProTem Judge - Author
36. 2-Aug-2023 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
37. 26-Sep-2023 CLNDR: CONFERENCE, Department B, 11-21-23, CONFERENCE ROOM.
38. 12-Dec-2023 MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Michael J Brown - Concur; Hon David B Gass - Concur
39. 12-Dec-2023 FILED: Memorandum Decision Distribution List
40. 21-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record

Court of Appeals, Division One

Criminal

1 CA-CR 22-0591

STATE v. FLOYD

51 PROCEEDING ENTRIES

41. 16-Jan-2024 FILED: Mandate, Physical record to clerk, Yavapai County Superior Court.
42. 16-Jan-2024 FILED: Letter dated 01/16/2024, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report
43. 12-Feb-2024 FILED: Motion for Extension (Motion for Reconsideration) (Appellant Pro Per)
44. 15-Feb-2024 ORDERED: Motion for Extension (Motion for Reconsideration) (Appellant Pro Per) = DENIED. Hon Andrew M Jacobs - Author
45. 11-Mar-2024 FILED: Motion for Reconsideration (Appellant Pro Per)
46. 12-Mar-2024 ORDERED: Motion for Reconsideration (Appellant Pro Per) = DENIED. Hon Andrew M Jacobs - Author
47. 10-Apr-2024 FILED: ASC Order filed 04/10/2024 re: 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 04/25/2024.
48. 7-May-2024 FILED: ASC Order filed 05/07/2024 re: Petition for Review filed on 05/06/2024 is stricken. Appellant shall file a Petition for Review that complies with Rule 31.21(g)(2), consisting of no more than 3,500 words, by 05/21/2024; if a compliant Petition for Review is not filed by 05/21/2024, this matter may be dismissed.
49. 28-May-2024 FILED: Email Notice from ASC re: Petition for Review filed 05/28/24; request for partial record
50. 30-May-2024 ORDERED: Reinstating this appeal for the purpose of transferring documents requested by the Arizona Supreme Court for review. Amy M Wood - Author
51. 31-May-2024 FILED: Letter forwarding partial record to Arizona Supreme Court