

Court of Appeals, Division One

Criminal

1 CA-CR 23-0073

STATE v. NJIKE

Appellate Case Information

Case Filed: **28-Feb-2023**

Case Closed:

Dept/Composition

Department B

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

Consolidated with: 1 CA-CR 22-0589

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Phillip Tomas, Esq. (AZ Bar No. 37879)

Side 2. COLLINS NJIKE, Appellant

(Litigant Group) COLLINS NJIKE

- Collins Njike

Attorneys for: Appellant

Stephen M Johnson, Esq. (AZ Bar No. 15831)

CASE STATUS

Aug 28, 2024....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2021-139933-001			Mark H Brain, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CR-24-0228-PR

CASE DECISION

23-Jul-2024 MEMORANDUM DECISION

David Weinzweig.....Author

Andrew Jacobs.....Concur

Jennifer Perkins.....Concur

Filed: **23-Jul-2024**

Mandate:

Decision Disposition

Affirmed

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-CR 22-0589 STATE v. NJIKE

39 PROCEEDING ENTRIES

- 28-Feb-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 02/21/23. Notification to Court Reporters dated 02/27/2023.
- 3-Mar-2023 FILED: Appellate Clerk Notice (31.2(g))
- 6-Apr-2023 FILED: Record on Appeal:
Physical Exhibits:
Hearing Date: 02/03/2023 List # 1 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
- 6-Apr-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 177
Exhibits: None sent with e-Record
- 13-Apr-2023 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Directing Ken Crenshaw to arrange for filing necessary transcripts by 05/30/2023. Benjamin A Armstrong ProTem Judge - Author
- 14-Apr-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)

Court of Appeals, Division One

Criminal

1 CA-CR 23-0073

STATE v. NJIKE

39 PROCEEDING ENTRIES

7. 2-Jun-2023 ORDERED: Ken Crenshaw Transcript dated 02/03/2023 due by 07/03/2023 or OSC set on 07/05/2023 Hon David B Gass - Author
[OSC VACATED per order filed 07/05/2023]
8. 5-Jul-2023 ORDERED: Ken Crenshaw shall file the above-mentioned transcript(s) before the newly scheduled OSC (See Order). FURTHER ORDERED: Vacating OSC for Ken Crenshaw set for 07/05/2023. FURTHER ORDERED: Ken Crenshaw, OSC set for 07/19/2023. Hon Randall M Howe - Author
[OSC VACATED per order filed 07/18/2023]
9. 5-Jul-2023 FILED: Untitled Motion for Extension (Time to File Transcripts) (Kimberly McCright)
10. 6-Jul-2023 ORDERED: Untitled Motion for Extension (Time to File Transcripts) (Kimberly McCright) = GRANTED. Due date EXTENDED from Monday, 07-03-2023 to Monday, 07-24-2023 Transcript for 02/03/2023 by Reporter Kimberly C McCright due or OSC set on 08/02/2023. Hon Randall M Howe - Author
[VACATED per order filed 07/25/2023]
11. 18-Jul-2023 ORDERED: Vacating that portion of the court's order dated 07/05/2023, directing Court Reporter Coordinator Ken Crenshaw to appear for an OSC on 07/19/2023. Hon Randall M Howe - Author
12. 24-Jul-2023 FILED: Untitled Motion for Extension (Time to File Transcripts) (Kimberly McCright)
13. 25-Jul-2023 ORDERED: Untitled Motion for Extension (Time to File Transcripts) (Kimberly McCright) = GRANTED. Due date EXTENDED from Monday, 07-24-2023 to Friday, 08-11-2023 Transcript for 02/03/2023 by Reporter Kimberly C McCright due or OSC set on 08/16/2023. FURTHER ORDERED: Vacating OSC set for 08/02/2023. Hon Randall M Howe - Author
14. 10-Aug-2023 FILED: Reporter's Transcript - 02/03/2023 - Restitution Hearing (Kimberly McCright)
15. 11-Aug-2023 FILED: Notice of Completion of Record
16. 18-Aug-2023 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
17. 29-Aug-2023 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Stephen Johnson as attorney for appellant in this appeal. FURTHER ORDERED: Maricopa County Public Defender must immediately forward all files, records, transcripts, and other documents that relate to this appeal to newly-appointed counsel. FURTHER ORDERED: Opening brief is due by 11/09/2023. Benjamin A Armstrong ProTem Judge - Author
18. 5-Sep-2023 ORDERED: Request for Consolidate [sic] Appeals and Set a Unified Filing Date; Certificate of Service (Appellant) = GRANTED and consolidating cases 1 CA-CR 22-0589 and 1 CA-CR 23-0073. Case no. 1 CA-CR 22-0589 is designated the primary number and the above caption must be used on all future documents filed in this appeal. FURTHER ORDERED: Opening brief in this consolidated appeal is due on 11/09/2023. Benjamin A Armstrong ProTem Judge - Author
19. 9-Nov-2023 FILED: Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
20. 13-Nov-2023 ORDERED: Request for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 11-09-2023 to Monday, 11-20-2023. Benjamin A Armstrong ProTem Judge - Author
21. 20-Nov-2023 FILED: Appellant's Consolidated Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
22. 27-Nov-2023 FILED: Notice of Appearance; Certificate of Service (Appellee)
23. 28-Nov-2023 FILED: Notice of Appearance (Duplicate); Certificate of Service (Duplicate) (Appellee)
24. 26-Dec-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
25. 27-Dec-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 01-02-2024 to Thursday, 02-01-2024 Benjamin A Armstrong ProTem Judge - Author
26. 29-Jan-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Second Request); Certificate of Service (Appellee)
27. 30-Jan-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Second Request) (Appellee) = GRANTED. Due date EXTENDED from Thursday, 02-01-2024 to Monday, 03-04-2024 or OSC set on 03/20/2024. Benjamin A Armstrong ProTem Judge - Author
28. 14-Feb-2024 FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)
29. 27-Feb-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)

Court of Appeals, Division One

Criminal

1 CA-CR 23-0073

STATE v. NJIKE

39 PROCEEDING ENTRIES

30. 18-Mar-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
31. 29-Mar-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
32. 8-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
33. 26-Apr-2024 CLNDR: CONFERENCE, Department B, 6-11-24, COURTROOM 2.
34. 23-Jul-2024 MEMORANDUM DECISION (Affirmed) Hon David D Weinzweig - Author; Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur
35. 23-Jul-2024 FILED: Decision Distribution Notification
36. 28-Aug-2024 FILED: Email Notice from ASC re: Petition for Review filed 08/28/2024; request for partial record
37. 29-Aug-2024 FILED: Letter forwarding partial record to Arizona Supreme Court
38. 29-Aug-2024 FILED: ASC Order filed 08/29/2024 re: denying "Motion for Leave to File Petition for Review Late" 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 is not filed 09/06/2024.
39. 3-Sep-2024 FILED: ASC Order filed 09/03/2024 re: Granting the "Motion for Procedural Order - Motion for Leave to File Petition for Review Late." FURTHER ORDERED: The Petition for Review is filed as of 08/28/2024.