

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 23-0113**

**STATE v. JIRON**

**Appellate Case Information**

Case Filed: 27-Mar-2023

Case Closed:

**Dept/Composition**

**Department C**

Hon. Paul J McMurdie  
Hon. Maria Elena Cruz  
Hon. Cynthia J Bailey

**Side 1. STATE OF ARIZONA, Appellee**

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Appellee**

Rebecca Jones, Esq. (AZ Bar No. 28996)

**Side 2. JUAN JIRON, JR., Appellant**

(Litigant Group) JUAN JIRON, JR.

- Juan Jiron, Jr.

**Attorneys for: Appellant**

Joseph Adam Carver, Esq. (AZ Bar No. 26212)

**CASE STATUS**

Jun 12, 2024.... Pending in ASC

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
CON CR201801061	see file	see file	Ted Stuart Reed, Sentencing	JURY	

**DESCENDENT CASE (S)**

ASC CR-24-0117-PR

**CASE DECISION**

**11-Apr-2024 MEMORANDUM DECISION**

Maria Cruz.....Author  
Paul McMurdie.....Concur  
Cynthia Bailey.....Concur

Filed: 11-Apr-2024 Mandate:

Decision Disposition

**Affirmed**

**95 PROCEEDING ENTRIES**

- 27-Mar-2023 FILED: Notice of Appeal from Coconino County Superior Court filed 03/10/23. Notification sent to Court Reporters dated 03/23/2023.
- 29-Mar-2023 FILED: Appellate Clerk Notice (31.2(g))
- 4-Apr-2023 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None sent with e-Record
- 6-Apr-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/02/2021 - Jury Trial - Day 6 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/01/2021 - Jury Trial - Day 5 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 11/30/2021 - Jury Trial - Day 4 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/07/2021 - Jury Trial - Day 9 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/06/2021 - Jury Trial - Day 8 (Jonna E. Baker)
- 6-Apr-2023 FILED: Reporter's Transcript - 12/03/2021 - Jury Trial - Day 7 (Jonna E. Baker)
- 17-Apr-2023 FILED: Reporter's Transcript - 10/19/2021 - Juror Questionnaires (Jonna E. Baker)
- 17-Apr-2023 FILED: Reporter's Transcript - 11/16/2021 - Status Conference (Jonna E. Baker)

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13. 17-Apr-2023 FILED: Reporter's Transcript - 01/14/2022 - Status Conference (Jonna E. Baker)
14. 17-Apr-2023 FILED: Letter, dated 04/17/2023, to Court from Court Reporter Jonna Baker Re: request for extension of time to file transcripts
15. 17-Apr-2023 ORDERED: Letter, dated 04/17/2023, to Court from Court Reporter Jonna Baker Re: request for extension of time to file transcripts = GRANTED. Due Dates EXTENDED to 05/24/2023 for Transcripts dated 06/19/2020, 10/09/2020, 01/11/2021, 06/14/2021, 09/01/2021, 09/30/2021, 10/15/2021, 11/02/2021, 11/09/2021, 11/12/2021, 01/20/2022, 02/01/2022, 07/25/2022 or OSC set on 06/07/2023. Hon David B Gass - Author
16. 18-Apr-2023 FILED: Letter, dated 04/18/2023, to Court from Court Reporter Melissa Lagies Re: request for extension of time to file transcripts
17. 18-Apr-2023 ORDERED: Letter, dated 04/18/2023, to Court from Court Reporter Melissa Lagies Re: request for extension of time to file transcripts = GRANTED. Transcripts dated 02/25/2021, 02/07/2023, 02/09/2023, 02/10/2023, 03/10/2023 EXTENDED to 05/24/2023 or OSC set on 06/07/2023. Hon David B Gass - Author
18. 20-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Amended Clerk's Notice to Court Reporters; Amended ME for 01/11/2021; Amended ME for 01/20/2022; Amended ME for 07/25/2022)
19. 20-Apr-2023 FILED: Reporter's Transcript - 03/04/2019 - Case Management Conference (Amanda Willey)
20. 20-Apr-2023 FILED: Reporter's Transcript - 04/22/2019 - Case Management Conference (Amanda Willey)
21. 20-Apr-2023 FILED: Reporter's Transcript - 01/05/2023 - Status Conference (Amanda Willey)
22. 20-Apr-2023 FILED: Reporter's Transcript - 05/20/2019 - Status Conference (Amanda Willey)
23. 20-Apr-2023 FILED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi)
24. 20-Apr-2023 FILED: Request for Extension (Time to File Transcripts) (Amanda Willey)
25. 21-Apr-2023 ORDERED: Request for Extension (Time to File Transcripts) (Amanda Willey) = GRANTED. Due Dates EXTENDED to 05/24/2023 for Transcripts dated 10/29/2018, 11/26/2018 or OSC set on 06/07/2023. Hon David B Gass - Author
26. 21-Apr-2023 ORDERED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi) = GRANTED. Due date EXTENDED from Monday, 04-24-2023 to Wednesday, 05-24-2023 (Transcript for 01/27/2023 or OSC set on 06/07/2023. Hon David B Gass - Author
27. 21-Apr-2023 ORDERED: Directing Kathy Scherf to arrange for the preparation of transcripts of 01/11/2021, 01/20/2022 and 07/25/2022 due by 06/05/2023. Benjamin A Armstrong ProTem Judge - Author
28. 21-Apr-2023 FILED: Untitled Motion for Extension (Time to File Transcripts) (Jennifer Sullivan)
29. 24-Apr-2023 ORDERED: Untitled Motion for Extension (Time to File Transcripts) (Jennifer Sullivan) = GRANTED. Due Dates EXTENDED to 05/24/2023 for Transcripts dated 11/29/2022, 01/31/2023, 02/02/2023, 02/03/2023 or OSC set on 06/7/2023. Hon David B Gass - Author
30. 27-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
31. 28-Apr-2023 ORDERED: (correcting court reporter from Rossana Baker to Yvette Johnson) Court Reporter Yvette Johnson transcript of 08/09/2019 due by 06/12/2023. Benjamin A Armstrong ProTem Judge - Author
32. 1-May-2023 ORDERED: Court Reporter Rossana Baker transcript of 08/09/2019 or OSC set on 05/17/2023. Hon David B Gass - Author
33. 2-May-2023 ORDERED: Vacating OSC hearing set for Court Reporter Rossana Baker on 05/17/2023. Benjamin A Armstrong ProTem Judge - Author
34. 5-May-2023 FILED: Reporter's Transcript - 10/15/2021 - Emergency Hearing via Zoom (Jonna E. Baker)
35. 5-May-2023 FILED: Reporter's Transcript - 09/01/2021 - Zoom Status Conference (Jonna E. Baker)
36. 5-May-2023 FILED: Reporter's Transcript - 06/14/2021 - Zoom Status Conference (Jonna E. Baker)
37. 5-May-2023 FILED: Reporter's Transcript - 10/09/2020 - Zoom Status Conference (Jonna E. Baker)
38. 5-May-2023 FILED: Reporter's Transcript - 02/25/2021 - Status Conference (Melissa Lagies)
39. 5-May-2023 FILED: Reporter's Transcript - 02/07/2023 - Trial Day 5 (Melissa Lagies)
40. 5-May-2023 FILED: Reporter's Transcript - 02/09/2023 - Trial Day 6 (Melissa Lagies)
41. 5-May-2023 FILED: Reporter's Transcript - 02/10/2023 - Trial Day 7 (Melissa Lagies)

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42. 5-May-2023 FILED: Reporter's Transcript - 03/10/2023 - Sentencing Hearing (Melissa Lagies)
43. 5-May-2023 FILED: Reporter's Transcript - 11/29/2022 - Status Conference (Jennifer Sullivan)
44. 9-May-2023 FILED: Reporter's Transcript - 01/31/2023 - Jury Trial (Jennifer Sullivan)
45. 17-May-2023 FILED: Reporter's Transcript - 11/12/2021 - Jury Trial - Day 3 (Jonna E. Baker)
46. 17-May-2023 FILED: Reporter's Transcript - 11/09/2021 - Trial - Day 2 (Jonna E. Baker)
47. 17-May-2023 FILED: Reporter's Transcript - 11/02/2021 - Trial - Day 1 (Jonna E. Baker)
48. 17-May-2023 FILED: Reporter's Transcript - 02/01/2022 - Trial Scheduling Conference via Zoom (Jonna E. Baker)
49. 17-May-2023 FILED: Reporter's Transcript - 09/30/2021 - Comprehensive Pretrial Conference/Evidentiary Hearing/Oral Argument (Jonna E. Baker)
50. 21-May-2023 FILED: Reporter's Transcript - 11/26/2018 - Case Management Conference (Amanda Willey)
51. 21-May-2023 FILED: Reporter's Transcript - 10/29/2018 - Arraignment (Amanda Willey)
52. 21-May-2023 FILED: Reporter's Transcript - 06/19/2020 - Status Conference/Trial Scheduling Conference (Jonna E. Baker)
53. 23-May-2023 FILED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi)
54. 23-May-2023 ORDERED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi) = GRANTED. Due date EXTENDED from Wednesday, 05-24-2023 to Friday, 06-23-2023 (Transcript for 01/27/2023 by Reporter Susanne Nardozzi) or OSC set on 07/05/2023. FURTHER ORDERED: If Court Reporter Susanne Nardozzi cannot complete the above listed transcript(s) by 06/23/2023, he/she will find an alternate Court Reporter to finish the above listed transcript(s). FURTHER ORDERED: Vacating the OSC set for 06/07/2023. Hon David B Gass - Author
55. 23-May-2023 FILED: Reporter's Transcript - 02/02/2023 - Jury Trial (Jennifer Sullivan)
56. 24-May-2023 FILED: Reporter's Transcript - 02/03/2023 - Jury Trial (Jennifer Sullivan)
57. 3-Jun-2023 FILED: Reporter's Transcript - 01/11/2021 - Case Management Conference (Amanda Willey)
58. 3-Jun-2023 FILED: Reporter's Transcript - 01/20/2022 - Trial Scheduling Conference - Continued (Amanda Willey)
59. 3-Jun-2023 FILED: Reporter's Transcript - 07/25/2022 - Case Management Conference (Amanda Willey)
60. 21-Jun-2023 FILED: Request for Extension (Time to File Transcripts) (Amanda Willey)
61. 22-Jun-2023 FILED: Motion to Supplement the Record; Certificate of Service (Appellant)
62. 22-Jun-2023 ORDERED: Request for Extension (Time to File Transcripts) (Amanda Willey) = GRANTED. Due date EXTENDED from Monday, 06-12-2023 to Wednesday, 07-12-2023 (Transcript for 08/09/2019 by Reporter Amanda Willey due.) or OSC set on 07/19/2023. Hon David B Gass - Author
63. 23-Jun-2023 FILED: Reporter's Transcript - 1/26/2023 [sic] - Final Pretrial Conference (Susanne Nardozzi)
64. 26-Jun-2023 ORDERED: Motion to Supplement the Record (Appellant) and advising appellant the court previously ordered the preparation of the transcript designated above. FURTHER ORDERED: Directing court reporter Susanne Nardozzi to provide appellant a copy of the transcript if she has not already done so. Benjamin A Armstrong ProTem Judge - Author
65. 3-Jul-2023 FILED: Reporter's Transcript - 08/09/2019 - Trial Setting Conference (Amanda Willey)
66. 6-Jul-2023 FILED: Notice of Completion of Record
67. 9-Aug-2023 FILED: Motion to Extend Opening Brief Deadline; Certificate of Service (Appellant)
68. 10-Aug-2023 ORDERED: Motion to Extend Opening Brief Deadline (Appellant) = GRANTED. Due date EXTENDED from Monday, 08-21-2023 to Wednesday, 09-20-2023. Benjamin A Armstrong ProTem Judge - Author
69. 20-Sep-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)  
[sealed per order filed 01/24/2024]
70. 25-Sep-2023 FILED: Notice of Appearance; Certificate of Service (Appellee)
71. 26-Oct-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)

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72. 27-Oct-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from 10/30/2023 to 11/29/2023 Benjamin A Armstrong ProTem Judge - Author
73. 28-Nov-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
74. 29-Nov-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from 11/29/2023 to 12/29/2023 Benjamin A Armstrong ProTem Judge - Author
75. 29-Dec-2023 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
76. 29-Dec-2023 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Friday, 12-29-2023 to Monday, 01-29-2024. Benjamin A Armstrong ProTem Judge - Author
77. 18-Jan-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
78. 24-Jan-2024 ORDERED: Sealing the opening brief filed on 09/20/2023. FURTHER IS ORDERED: Directing appellant to file a corrected copy of the opening brief that complies with Rule 31.10(f) by 01/19/2024. Appellant should ensure that the victim's name does not appear anywhere in the corrected opening brief. Hon David B Gass - Author
79. 24-Jan-2024 FILED: Appellant's Opening Brief -- Corrected; Certificate of Compliance; Certificate of Service (Appellant)
80. 30-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
81. 7-Feb-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
82. 21-Feb-2024 FILED: Amended Superior Court e-Record with Revised Index of Record
83. 26-Feb-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 4-3-24, 10:15 am, COURTROOM 1.
84. 26-Feb-2024 FILED: Notice of Oral Argument
85. 27-Feb-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Joseph Carver on 02/26/2024 (Appellant)
86. 28-Feb-2024 FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)
87. 1-Mar-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Rebecca Jones on 02/28/2024 (Appellee)
88. 4-Mar-2024 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: January + February, 2023 List # 1 2 4 5 8 9 12 13 14 27 56 68 69 85 87 88 89 90 in manila envelope  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope
89. 6-Mar-2024 ORDERED: Vacating Oral Argument set for 04/03/2024. The case will be conferenced on 04/03/2024, without oral argument, and a decision will be issued in due course. Hon Paul J McMurdie - Author
90. 11-Apr-2024 MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Paul J McMurdie - Concur; Hon Cynthia J Bailey - Concur
91. 11-Apr-2024 FILED: Decision Distribution Notification
92. 6-May-2024 FILED: ASC Order filed 05/06/2024 re: extending time for filing Petition for Review to 06/12/2024; matter subject to dismissal if the petition for review is not filed by 06/12/2024.
93. 12-Jun-2024 FILED: Email Notice from ASC re: Petition for Review filed 06/12/24; request for partial record
94. 13-Jun-2024 FILED: Letter forwarding partial record to Arizona Supreme Court
95. 20-Jun-2024 FILED: Amended letter forwarding partial record to Arizona Supreme Court