

Court of Appeals, Division One

Criminal

1 CA-CR 23-0123

STATE v. BROWN

Appellate Case Information

Case Filed: 31-Mar-2023

Case Closed:

Dept/Composition

Department D

Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

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. DEAN JACOB BROWN, Appellant

(Litigant Group) DEAN JACOB BROWN

- Dean Jacob Brown

Attorneys for: Appellant

Angela Charlene Poliquin, Esq. (AZ Bar No. 23790)
Eva R. Fa'alogo, Esq. (AZ Bar No. 34255)

CASE STATUS

Sep 10, 2024....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2022-116166-001, See file, See file, Justin Beresky, Sentencing, JURY, Dispo.

2 OPEN DUE DATES

Motion for Reconsideration due Due By: Wednesday, September 25, 2024
Re: MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Jennifer B Campbell - Concur; Hon Michael J Brown - Special Concurrence

Petition for Review to ASC due Due By: Thursday, October 10, 2024
Re: MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Jennifer B Campbell - Concur; Hon Michael J Brown - Special Concurrence

CASE DECISION

10-Sep-2024 MEMORANDUM DECISION

Samuel Thumma.....Author
Jennifer Campbell.....Concur
Michael Brown.....Special Concurrence

Table with 2 columns: Filed: 10-Sep-2024, Mandate: Decision Disposition Affirmed

42 PROCEEDING ENTRIES

- 1. 31-Mar-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 03/22/23. Notification sent to Court Reporters dated 03/30/2023.
2. 31-Mar-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 31-Mar-2023 FILED: Notice of Appearance; Certificate of Service re: Notice of Appearance (Appellant)
4. 18-Apr-2023 FILED: Motion to Reaffirm Indigency; Certificate of Service Re: Motion to Reaffirm Indigency; Final Release Order and Order Regarding Counsel; Affidavit of Financial Information (Appellant)
5. 25-Apr-2023 ORDERED: Motion to Reaffirm Indigency (Appellant) = GRANTED and affirming that appellant remains indigent for purposes of appeal. FURTHER ORDERED: All transcripts produced in this appeal be prepared at public expense. FURTHER ORDERED: Court Reporters Hope Yeager, Tara Kramer, Vanessa Gartner, April Escobedo and Debra Carney and Ken Crenshaw transcripts due by 06/08/2023. Benjamin A Armstrong ProTem Judge - Author

Court of Appeals, Division One**Criminal****1 CA-CR 23-0123****STATE v. BROWN****42 PROCEEDING ENTRIES**

6. 4-May-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 01/18/2023 List # 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 29 30 31 32 33 34 35 36
37 38 39 40 41 42 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 68 69 in manila envelope
Hearing Date: 03/02/2023 List # 1 2 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
7. 4-May-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 107
Exhibits: None sent with e-Record
8. 19-May-2023 FILED: Reporter's Transcript - 01/19/2023 - Jury Trial (Tara L. Kramer)
9. 7-Jun-2023 FILED: Reporter's Transcript - 03/02/2023 - Priors Hearing (Debra Carney)
10. 7-Jun-2023 FILED: Reporter's Transcript - 03/02/2023 - Sentencing (Debra Carney)
11. 8-Jun-2023 FILED: Reporter's Transcripts - 01/24/2023 - Trial - Day 3 (Vanessa Gartner)
12. 8-Jun-2023 FILED: Motion for Extension of Time to File Transcripts (Hope Yeager)
13. 9-Jun-2023 ORDERED: Motion for Extension of Time to File Transcripts (Hope Yeager) = GRANTED. Due Dates EXTENDED to 07/10/2023 for Transcripts dated 01/18/2023, 01/25/2023 or OSC set on 07/19/2023. Hon David B Gass - Author
14. 12-Jun-2023 ORDERED: Ken Crenshaw Transcript dated 10/07/2022 due by 07/12/2023 or OSC set on 07/19/2023. Hon David B Gass - Author
15. 12-Jun-2023 ORDERED: Court Reporter April Escobedo transcript dated 01/26/2023 or OSC set on 06/21/2023. Hon David B Gass - Author
16. 12-Jun-2023 FILED: Reporter's Transcripts - 01/26/2023 - Trial - Day 5 (April Escobedo)
17. 10-Jul-2023 FILED: Reporter's Transcript - 10/07/2022 - Settlement Conference (Leslie LeBlanc)
18. 17-Jul-2023 FILED: Reporter's Transcript - 01/18/2023 - Trial - Day 1 (Hope J Yeager)
19. 19-Jul-2023 FILED: Reporter's Transcript - 01/25/2023 - Trial Day 4 (Hope J Yeager)
20. 19-Jul-2023 FILED: Notice of Completion of Record
21. 15-Aug-2023 FILED: Motion for Procedural Order to Extend Time to File Opening Brief; Certificate of Service Re: Motion for Procedural Order to Extend Time to File Opening Brief (Appellant)
22. 16-Aug-2023 ORDERED: Motion for Procedural Order to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 09-05-2023 to Thursday, 10-05-2023. Geoffrey P Butzine ProTem Judge - Author
23. 29-Sep-2023 FILED: Motion for Procedural Order to Extend Time to File Opening Brief; Certificate of Service Re: Motion for Procedural Order to Extend Time to File Opening Brief (Appellant)
24. 2-Oct-2023 ORDERED: Motion for Procedural Order to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 10-05-2023 to Monday, 11-06-2023 or OSC set on 11/15/2023. Benjamin A Armstrong ProTem Judge - Author
25. 6-Nov-2023 FILED: Appellant's Opening Brief; Certificate of Compliance Re: Appellant's Opening Brief; Certificate of Service Re: Appellant's Opening Brief (Appellant)
26. 8-Nov-2023 FILED: Notice of Appearance; Certificate of Service (Appellee)
27. 15-Dec-2023 FILED: Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
28. 18-Dec-2023 ORDERED: Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from 12/18/2023 to 01/17/2024 Benjamin A Armstrong ProTem Judge - Author
29. 17-Jan-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
30. 29-Jan-2024 FILED: Motion for Procedural Order to Extend Time to File Reply Brief; Certificate of Service Re: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant)
31. 30-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days

Court of Appeals, Division One

Criminal

1 CA-CR 23-0123

STATE v. BROWN

42 PROCEEDING ENTRIES

- 32. 30-Jan-2024 ORDERED: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 02-06-2024 to Monday, 02-26-2024. Benjamin A Armstrong ProTem Judge - Author
- 33. 16-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
- 34. 20-Feb-2024 FILED: Motion for Procedural Order to Extend Time to File Reply Brief; Certificate of Service Re: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant)
- 35. 21-Feb-2024 ORDERED: Motion for Procedural Order to Extend Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-26-2024 to Monday, 03-18-2024 Geoffrey P Butzine ProTem Judge - Author
- 36. 26-Feb-2024 CLNDR: CONFERENCE, Department D, 4-10-24, COURTROOM 2.
- 37. 13-Mar-2024 FILED: Appellant's Reply Brief; Certificate Of Compliance Re: Appellant's Reply Brief; Certificate Of Service Re: Appellant's Reply Brief (Appellant)
- 38. 15-Mar-2024 FILED: Notice of Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
- 39. 25-Mar-2024 FILED: Request for Oral Argument; Certificate of Service (Appellee)
- 40. 26-Mar-2024 ORDERED: Request for Oral Argument (Appellee) = DENIED. FURTHER ORDERED: Affirming conference set 04/10/2024. Hon Samuel A Thumma - Author
- 41. 10-Sep-2024 MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Jennifer B Campbell - Concur; Hon Michael J Brown - Special Concurrence
- 42. 10-Sep-2024 FILED: Decision Distribution Notification