

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 23-0131

STATE v. LINDSTROM

Appellate Case Information

Case Filed: 6-Apr-2023

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

Side 2. ALLAN FREDERICK LINDSTROM, Appellant

(Litigant Group) ALLAN FREDERICK LINDSTROM

- Allan Frederick Lindstrom

Attorneys for: Appellant

Alane M Ortega, Esq. (AZ Bar No. 25719)

CASE STATUS

Jul 22, 2024.....At Issue

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2017-146752-001, Murder 2nd Degree-Intentional, Count 1, 22 years, ADOC, Geoffrey H Fish, Sentencing, JURY.

92 PROCEEDING ENTRIES

- 1. 6-Apr-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 03/31/23. Notification sent to Court Reporters dated 04/05/2023.
2. 6-Apr-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 21-Apr-2023 FILED: Notice of No Financial Arrangements dated 04/21/2023 (Lisa Bradley)
4. 24-Apr-2023 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)
5. 25-Apr-2023 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Lisa Bradley, Tara Kramer, Michael Babicky, and Lauren Kuhnhenh to prepare, and for Ken Crenshaw transcripts due 06/08/2023. Benjamin A Armstrong ProTem Judge - Author
6. 25-Apr-2023 ORDERED: Ken Crenshaw Transcripts of 09/22/2022, 09/26/2022, 10/31/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 02/07/2020, 03/17/2020 for Ken Crenshaw. FURTHER ORDERED: Court Reporter Michael Babicky Transcripts of 10/21/2022, 10/26/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 09/29/2022, 10/06/2022, 10/10/2022, 10/12/2022, 10/17/2022, 10/18/2022, 10/19/2022, 10/20/2022, 10/24/2022, 10/25/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023 for Court Reporter Michael Babicky. FURTHER ORDERED: Court Reporter Lauren Kuhnhenh Transcripts of 03/11/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 11/01/2022, 11/08/2022 for Court Reporter Lauren Kuhnhenh. FURTHER ORDERED: Court Reporter Wendy Ricard Transcripts of 09/08/2022, 09/14/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Tara Karmar Transcripts of 06/07/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 08/12/2022 for Court Reporter Tara Kramer. FURTHER ORDERED: Court Reporter Lisa Bradley Transcripts of 07/22/2020, 09/10/2020, 10/29/2020, 08/08/2022 due by 06/08/2023. FURTHER ORDERED: Reaffirming previously set due date of 05/15/2023 for Transcripts of 11/20/2020 for Court Reporter Lisa Bradley. FURTHER ORDERED: Court Reporter Linda Lopez Transcripts of 04/13/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Debra Carney Transcripts of 09/28/2021, 03/01/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Hope Yeager Transcripts of 02/14/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Wanda Bauer Transcripts of 01/11/2022 due by 06/08/2023. FURTHER ORDERED: Court Reporter Catherine Turner Transcripts of 03/09/2020 due by 06/08/2023. FURTHER ORDERED: Court Reporter Cynthia Lineburg Transcripts of 12/03/2018, 02/12/2020 due by 06/08/2023. FURTHER ORDERED: Court Reporter Kelly Rexroat Transcripts of 08/08/2019 due by 06/08/2023. FURTHER ORDERED: Court Reporter Lori Thielmann Transcripts of 05/30/2018 due by 06/08/2023. FURTHER ORDERED: Court Reporter Brigid Donovan Transcripts of 09/06/2018, 02/26/2019, 04/15/2019, 05/29/2019, 06/17/2019, 11/12/2019, 12/17/2019, 01/22/2020 due by 06/08/2023. Hon David B Gass - Author
7. 1-May-2023 FILED: Reporter's Transcript - 11/20/2020 - Untitled Transcript (Lisa Bradley)
8. 2-May-2023 FILED: Reporter's Transcript - 06/07/2022 - Trial Continuance Past Last Day (Tara L. Kramer)
9. 2-May-2023 FILED: Reporter's Transcript - 08/12/2022 - Oral Argument (Tara L. Kramer)

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10. 3-May-2023 FILED: Reporter's Transcript - 08/08/2022 - Reporter's Transcript of Proceedings (Lisa Bradley)
11. 5-May-2023 FILED: Reporter's Transcript - 10/29/2020 - Reporter's Transcript of Proceedings (Lisa Bradley)
12. 9-May-2023 FILED: Reporter's Transcript - 09/10/2020 - Reporter's Transcript of Proceedings (Lisa Bradley)
13. 11-May-2023 FILED: Reporter's Transcript - 04/13/2022 - Final Trial Management (Linda Lopez)
14. 12-May-2023 FILED: Reporter's Transcript - 07/22/2020 - Reporter's Transcript of Proceedings (Lisa Bradley)
15. 12-May-2023 FILED: Reporter's Transcript - 02/07/2020 - Settlement Conference (Angela Malik Luck)
16. 12-May-2023 FILED: Reporter's Transcript - 09/26/2022 - Trial Procedure Conference (Anne Manscill)
17. 12-May-2023 FILED: Reporter's Transcript - 10/31/2022 - Status Conference (Anne Manscill)
18. 12-May-2023 FILED: Reporter's Transcript - 09/22/2022 - Trial Assignment (Angela Malik Luck)
19. 12-May-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 310
Exhibits: None sent with e-Record
(Includes transcript 10/17/2017)
20. 12-May-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 10/06/2022 List # 16 19 43 44 45 46 47 48 49 51 52 53
62 64 65 66 69 70 71 72 75 76 78 79 80 81 82 83 88 90 91 92 99 100 101 104 105 in manila envelope
Hearing Date: 03/24/2023 List # 1 3 4 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
21. 12-May-2023 FILED: Reporter's Transcripts - 10/06/2022 - Trial (Michael Babicky)
22. 13-May-2023 FILED: Reporter's Transcripts - 11/08/2022 - Jury Trial (Lauren Kuhnhenh)
23. 15-May-2023 FILED: Reporter's Transcript - 03/17/2020 - Settlement Conference (Lisa Baker)
24. 15-May-2023 FILED: Reporter's Transcripts - 11/01/2022 - Jury Trial (Lauren Kuhnhenh)
25. 15-May-2023 FILED: Reporter's Transcript - 01/11/2022 - Reporter's Transcript of Proceedings (Wanda Bauer)
26. 15-May-2023 FILED: Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky)
27. 15-May-2023 ORDERED: Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky) = GRANTED. Due Dates EXTENDED to 06/14/2023 for Transcripts dated 09/29/2022, 10/10/2022, 10/12/2022, 10/17/2022, 10/18/2022, 10/19/2022, 10/20/2022, 10/24/2022, 10/25/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023. FURTHER ORDERED: If transcripts not filed, Show Cause Hearing on 6/21/23 at 2:30 pm in Courtroom 1. Hon David B Gass - Author
28. 16-May-2023 FILED: Reporter's Transcripts - 03/11/2022 - Final Trial Management Conference (Lauren Kuhnhenh)
29. 16-May-2023 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
30. 19-May-2023 FILED: Reporter's Transcript - 03/09/2020 - Final Trial Management Conference (Catherine Turner)
31. 22-May-2023 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 4 and 10); the Email dated 10/20/2022 (I.O.R. 249); the Email dated 11/10/2022 (I.O.R. 262); the Sealed Jury Questionnaires (I.O.R. 263, 264, 265, 266, 267, 268, and 269); and the Random Jury List (I.O.R. 281), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
32. 4-Jun-2023 FILED: Reporter's Transcript - 12/03/2018 - CCMC (Cindy Lineburg)
33. 4-Jun-2023 FILED: Reporter's Transcript - 02/12/2020 - CCMC (Cindy Lineburg)
34. 4-Jun-2023 FILED: Reporter's Transcript - 09/14/2022 - Final Trial Management Conference (Wendy Ricard)
35. 4-Jun-2023 FILED: Reporter's Transcript - 09/08/2022 (A.M.) - Final Trial Management Conference (Wendy Ricard)
36. 6-Jun-2023 FILED: Reporter's Transcripts - 10/21/2022 - Hearing (Michael Babicky)

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37. 6-Jun-2023 FILED: Reporter's Transcripts - 10/26/2022 - Hearing (Michael Babicky)
38. 7-Jun-2023 FILED: Reporter's Transcript - 05/30/2018 - Trial Continuance Past Last Day (Lori Thielmann)
39. 7-Jun-2023 FILED: Reporter's Transcript - 09/28/2021 - Trial Continuance (Debra Carney)
40. 7-Jun-2023 FILED: Reporter's Transcript - 03/01/2022 - Status Conference (Debra Carney)
41. 8-Jun-2023 FILED: Reporter's Transcripts - 01/22/2020 - Status Conference (Brigid M. Donovan)
42. 8-Jun-2023 FILED: Reporter's Transcripts - 12/17/2019 - Complex Case Management Conference (Brigid M. Donovan)
43. 8-Jun-2023 FILED: Reporter's Transcripts - 11/12/2019 - Complex Case Management Conference (Brigid M. Donovan)
44. 8-Jun-2023 FILED: Reporter's Transcripts - 06/17/2019 - Complex Case Management Conference (Brigid M. Donovan)
45. 8-Jun-2023 FILED: Reporter's Transcripts - 05/29/2019 - Complex Case Management Conference (Brigid M. Donovan)
46. 8-Jun-2023 FILED: Reporter's Transcripts - 04/15/2019 - Complex Case Management Conference (Brigid M. Donovan)
47. 8-Jun-2023 FILED: Reporter's Transcripts - 02/26/2019 - Final Trial Management Conference (Brigid M. Donovan)
48. 8-Jun-2023 FILED: Reporter's Transcripts - 09/06/2018 - Complex Case Management Conference (Brigid M. Donovan)
49. 8-Jun-2023 FILED: Reporter's Transcript - 02/14/2022 - Final Trial Management Conference (Hope J Yeager)
50. 14-Jun-2023 FILED: Reporter's Transcript - 08/08/2019 - Complex Case Management Conference (Kelly Rexroat)
51. 14-Jun-2023 FILED: Reporter's Transcripts - 10/06/2022 - Trial (Michael Babicky)
52. 14-Jun-2023 FILED: Reporter's Transcript - 09/29/2022 - Trial (Michael Babicky)
53. 14-Jun-2023 FILED: Reporter's Transcripts - 10/17/2022 - Trial (Michael Babicky)
54. 14-Jun-2023 FILED: Reporter's Transcripts - 10/12/2022 - Trial (Michael Babicky)
55. 14-Jun-2023 FILED: Reporter's Transcripts - 10/10/2022 - Trial (Michael Babicky)
56. 14-Jun-2023 FILED: Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky)
57. 14-Jun-2023 FILED: Amended Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky)
58. 16-Jun-2023 ORDERED: Amended Affidavit for Extension of Time (Time to File Transcripts) (Michael A. Babicky) = GRANTED. Due Dates EXTENDED to 07/14/2023 for Transcripts dated 10/18/2022, 10/19/2022, 10/20/2022, 10/24/2022, 10/25/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023 or OSC set on 07/19/2023. FURTHER ORDERED: If Court Reporter Michael A Babicky cannot complete the above listed transcript(s) by 07/14/2023, he/she will find an alternate Court Reporter to finish the above listed transcript(s). FURTHER ORDERED: Vacating OSC set for 06/21/2023. Hon David B Gass - Author
- [VACATED per order filed 07/14/2023]
59. 12-Jul-2023 FILED: Reporter's Transcript - 10/20/2022 - Trial (Michael Babicky)
60. 12-Jul-2023 FILED: Reporter's Transcript - 10/21/2022 - Trial (Michael Babicky)
61. 12-Jul-2023 FILED: Reporter's Transcript - 10/24/2022 - Trial (Michael Babicky)
62. 12-Jul-2023 FILED: Reporter's Transcript - 10/25/2022 - Trial (Michael Babicky)
63. 13-Jul-2023 FILED: Affidavit for Extension of Time (Court Reporter Michael Babicky)
64. 14-Jul-2023 FILED: Reporter's Transcript - 11/02/2022 (Michael Babicky)
65. 14-Jul-2023 ORDERED: Affidavit for Extension of Time (Court Reporter Michael Babicky) = GRANTED. Due Dates EXTENDED to 08/04/2023 for Transcripts dated 10/18/2022, 10/19/2022, 11/02/2022, 11/03/2022, 11/07/2022, 11/09/2022, 11/10/2022, 11/16/2022, 11/17/2022, 03/24/2023 or OSC set for 08/16/2023. FURTHER ORDERED: Vacating OSC scheduled for 07/19/2023, in the above referenced matter. Hon David B Gass - Author
66. 17-Jul-2023 FILED: Reporter's Transcripts - 11/03/2022 - Trial (Michael Babicky)
67. 30-Jul-2023 FILED: Reporter's Transcripts - 11/02/2022 - Trial - (Michael Babicky)

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68. 30-Jul-2023 FILED: Reporter's Transcripts - 11/03/2022 - Trial - (Michael Babicky)
69. 30-Jul-2023 FILED: Reporter's Transcripts - 11/07/2022 - Trial - (Michael Babicky)
70. 30-Jul-2023 FILED: Reporter's Transcripts - 11/09/2022 - Trial - (Michael Babicky)
71. 30-Jul-2023 FILED: Reporter's Transcripts - 11/10/2022 - Trial - (Michael Babicky)
72. 30-Jul-2023 FILED: Reporter's Transcripts - 11/16/2022 - Trial - (Michael Babicky)
73. 30-Jul-2023 FILED: Reporter's Transcripts - 11/17/2022 - Trial - (Michael Babicky)
74. 30-Jul-2023 FILED: Reporter's Transcripts - 03/24/2023- Trial - (Michael Babicky)
75. 30-Jul-2023 FILED: Reporter's Transcripts - 10/20/2022 - Trial - (Michael Babicky)
76. 30-Jul-2023 FILED: Reporter's Transcripts - 10/21/2022 - Trial - (Michael Babicky)
77. 2-Aug-2023 FILED: Reporter's Transcripts - 10/19/2022 - Trial (Michael Babicky)
78. 2-Aug-2023 FILED: Reporter's Transcripts -10/18/2022 - Trial (Michael Babicky)
79. 11-Dec-2023 FILED: Notice of Completion of Record
80. 12-Dec-2023 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
81. 18-Dec-2023 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Alane Ortega as attorney for appellant in this appeal. FURTHER ORDERED: The 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: Motion To Extend Opening Brief Due Date = GRANTED. Due date EXTENDED from Thursday, 01-25-2024 to Monday, 03-11-2024. Benjamin A Armstrong ProTem Judge - Author
82. 11-Mar-2024 FILED: Motion for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
83. 12-Mar-2024 ORDERED: Motion for Extension of Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-11-2024 to Wednesday, 04-10-2024. Benjamin A Armstrong ProTem Judge - Author
84. 10-Apr-2024 FILED: Motion for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
85. 11-Apr-2024 ORDERED: Motion for Extension of Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 04-10-2024 to Friday, 05-10-2024. Benjamin A Armstrong ProTem Judge - Author
86. 10-May-2024 FILED: Motion for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
87. 13-May-2024 ORDERED: Motion for Extension of Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 05-10-2024 to Monday, 06-10-2024 or OSC set on 06/19/2024. Benjamin A Armstrong ProTem Judge - Author
88. 11-Jun-2024 FILED: Appellant's Ander's [sic] Memorandum; Certificate of Compliance; Certificate of Service (Appellant)
[ACCEPTED per order filed 06/12/2024]
89. 11-Jun-2024 FILED: Motion to Find Opening Brief Timely Filed; Certificate of Service (Appellant)
90. 12-Jun-2024 ORDERED: Motion to Find Opening Brief Timely Filed (Appellant) = GRANTED and accepting the Anders brief filed 06/11/2024. Benjamin A Armstrong ProTem Judge - Author
91. 12-Jun-2024 ORDERED: Allowing appellant to file supplemental brief in propria persona. FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG. FURTHER ORDERED: Appellant may raise additional points on/before 07/22/2024. FURTHER ORDERED: Answering brief to await court order. Benjamin A Armstrong ProTem Judge - Author
92. 2-Aug-2024 FILED: Notice of Filing Transmittal Letter; Certificate of Service (Appellant)