

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 23-0137

STATE v. WILLIAMS

Appellate Case Information

Case Filed: 10-Apr-2023

Case Closed:

Dept/Composition

Department F

Hon. Maria Elena Cruz
Hon. Samuel A Thumma
Hon. Andrew M Jacobs

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. MARCUS TALIAFERO WILLIAMS, Appellant

(Litigant Group) MARCUS TALIAFERO WILLIAMS

- Marcus Taliafero Williams

Attorneys for: Appellant

Matthew O Brown, Esq. (AZ Bar No. 25213)

CASE STATUS

Sep 3, 2024.....Decision Rendered

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2021-108279-001, Murder 2nd Degree-Intentional, Class 1, 19 years, Kevin B Wein, Sentencing, JURY.

2 OPEN DUE DATES

Motion for Reconsideration Due

Due By: Thursday, October 3, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Samuel A Thumma - Concur; Hon Andrew M Jacobs - Concur (Motion for reconsideration extended thirty days from date of this decision.)

Petition for Review to ASC due

Due By: Thursday, October 3, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Samuel A Thumma - Concur; Hon Andrew M Jacobs - Concur (Motion for reconsideration extended thirty days from date of this decision.)

CASE DECISION

03-Sep-2024 MEMORANDUM DECISION

Maria Cruz.....Author
Samuel Thumma.....Concur
Andrew Jacobs.....Concur

Filed: 03-Sep-2024 Mandate:

Decision Disposition

Affirmed

50 PROCEEDING ENTRIES

- 1. 10-Apr-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 03/31/23. Notification sent to Court Reporters dated 04/07/2023.
2. 10-Apr-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 24-Apr-2023 FILED: Notice of No Financial Arrangements (Lisa Bradley)
4. 26-Apr-2023 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Cynthia Lineburg, Luz Franco, Catherine Turner, Angela Miller, Terry Masciola, Lori Reinhardt, Scott Kindle and Lisa Bradley transcripts due by 06/09/2023. Benjamin A Armstrong ProTem Judge - Author
5. 1-May-2023 FILED: Reporter's Transcript - 03/31/2023 - Untitled Transcript (Lisa Bradley)
6. 9-May-2023 FILED: Reporter's Transcript - 01/11/2023[sic] - Trial - Day 4 (Angela F. Miller)
7. 12-May-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: None sent with e-Record

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 23-0137****STATE v. WILLIAMS****50 PROCEEDING ENTRIES**

8. 12-May-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 11/04/2022 List # 1 in manila envelope
Hearing Date: 01/04/2023 List # 2 7 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 36 37 38 40 42 43 45 46 50 51 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
9. 17-May-2023 FILED: Reporter's Transcript - 01/10/2023 - Trial - Day 4 (Angela F. Miller)
10. 22-May-2023 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
11. 29-May-2023 FILED: Reporter's Transcript - 01/09/2023 - Jury Trial (Catherine Turner)
12. 30-May-2023 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 5 and 9); the Sealed Jury Questionnaires (I.O.R. 110, 111, 112, 113, 114, and 115); the Random Jury List (I.O.R. 122); the Restitution Ledger Request (I.O.R. 136); and the Victim Information Sheets for Lifetime No-Contact Injunctions (I.O.R. 139, 140, 141, 142, 143, 144, and 145), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
13. 4-Jun-2023 FILED: First Extension (Time to File Transcripts) (Cindy Lineburg)
14. 5-Jun-2023 ORDERED: First Extension (Time to File Transcripts) (Cindy Lineburg) = GRANTED. Due Dates EXTENDED to 07/10/2023 for Transcripts dated 01/05/2023, 01/12/2023 or OSC set on 07/19/2023. Hon David B Gass - Author
15. 5-Jun-2023 FILED: Reporter's Transcript - 01/18/2023 - Trial Day 8 (Lori Reinhardt)
16. 7-Jun-2023 FILED: Reporter's Transcript - 01/09/2023 - Trial (Continuing) (Luz Franco)
17. 8-Jun-2023 FILED: First Extension Request (Time to File Transcripts) (Terry Masciola)
18. 9-Jun-2023 FILED: Reporter's Transcript - 01/19/2023 - Trial Day 9 (Scott Kindle)
19. 9-Jun-2023 ORDERED: First Extension Request (Time to File Transcripts) (Terry Masciola) = GRANTED. Due Dates EXTENDED to 07/10/2023 for Transcripts dated 01/11/2023, 01/17/2023 or OSC set on 07/19/2023. Hon David B Gass - Author
20. 12-Jun-2023 ORDERED: Ken Crenshaw transcript dated 03/18/2022 due by 07/12/2023 or OSC set on 07/19/2023. Hon David B Gass - Author
21. 5-Jul-2023 FILED: Reporter's Transcript - 01/11/2023 - Trial (Terry Masciola)
22. 5-Jul-2023 FILED: Reporter's Transcript - 01/17/2023 - Trial (Terry Masciola)
23. 10-Jul-2023 FILED: Reporter's Transcript - 03/18/2022 - Settlement Conference (Leslie LeBlanc)
24. 11-Jul-2023 FILED: Reporter's Transcript - 01/05/2023 - Trial (Cindy Lineburg)
25. 11-Jul-2023 FILED: Reporter's Transcript - 01/12/2023 - Trial (Cindy Lineburg)
26. 11-Jul-2023 FILED: Notice of Completion of Record
27. 14-Jul-2023 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
28. 26-Jul-2023 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Matthew Brown 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: Motion to Extend Opening Brief Due Date = GRANTED. Due date EXTENDED from Friday, 08-25-2023 to Tuesday, 10-10-2023. Benjamin A Armstrong ProTem Judge - Author
29. 25-Aug-2023 FILED: Motion to Supplement Record on Appeal and Extend Time to File Opening Brief; Certificate of Service (Appellant)
30. 5-Sep-2023 ORDERED: Motion to Supplement Record on Appeal (Appellant) = GRANTED and supplementing the record with transcripts dated 11/04/2022, 01/03/2023, and 01/04/2023. FURTHER ORDERED: Ken Crenshaw and court reporter Terry Masciola transcripts due by 10/05/2023. FURTHER ORDERED: Motion to Extend Time to File Opening Brief = GRANTED. Due date EXTENDED from Tuesday, 10-10-2023 to Monday, 11-06-2023. Benjamin A Armstrong ProTem Judge - Author
31. 4-Oct-2023 FILED: First Extension Request (Time to File Transcript) (Terry Masciola)
32. 5-Oct-2023 ORDERED: First Extension Request (Time to File Transcript) (Terry Masciola) = GRANTED. Due date EXTENDED from 10/05/2023 to 11/06/2023 for transcript dated 01/04/2023 or OSC set on 11/15/2023. Hon Randall M Howe - Author

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33. 17-Oct-2023 ORDERED: Extending the time to file the transcripts designated above from 10/05/2023, to 11/16/2023 or OSC set on 12/06/2023. FURTHER ORDERED: The opening brief is due by 12/18/2023. Benjamin A Armstrong ProTem Judge - Author
34. 2-Nov-2023 FILED: Reporter's Transcript - 01/04/2023 - Jury Selection - (Terry Masciola)
35. 5-Dec-2023 FILED: Reporter's Transcript - 11/04/2022 - Oral Argument (Rebecca Rivera)
36. 5-Dec-2023 FILED: Reporter's Transcript - 01/03/2023 - Status Conference (Rebecca Rivera)
37. 19-Dec-2023 FILED: Appellant's Opening Anders Brief; Certificate of Compliance; Certificate of Service; Anders Transmittal Letter (Appellant)
38. 19-Dec-2023 FILED: Motion to Accept Late-Filed Opening Brief As Timely; Certificate of Service (Appellant)
39. 19-Dec-2023 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 01/29/2024. FURTHER ORDERED: Answering brief to await court order. Benjamin A Armstrong ProTem Judge - Author
40. 27-Dec-2023 ORDERED: Granting the motion and accepting the opening brief filed on 12/19/2023. Benjamin A Armstrong ProTem Judge - Author
41. 22-Jan-2024 FILED: Motion for Extension of Time to Submit in Propria Persona (Appellant Pro Per)
42. 26-Jan-2024 ORDERED: Motion for Extension of Time to Submit in Propria Persona (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 01-29-2024 to Wednesday, 02-28-2024. FURTHER ORDERED: Denying the motion to file an overlength pro se supplemental brief. Benjamin A Armstrong ProTem Judge - Author
43. 4-Mar-2024 FILED: Appellant's Supplemental Opening Brief (Appellant Pro Per)
44. 5-Mar-2024 FILED: (Stricken per order dated 3/11/2023) Assigning Anders appeal to Dept I for consideration and disposition. [Amy M. Wood, Clerk]
45. 5-Mar-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
46. 11-Mar-2024 ORDERED: Striking Assignment Memorandum issued 3/5/2024. Amy M Wood - Author
47. 18-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Transcripts previously filed in COA1; Motion to Dismiss Petition for Post-Conviction Relief; ME: PCR Dismissed)
48. 15-Aug-2024 FILED: Assigning Anders appeal to Dept F for consideration and disposition. [Amy M. Wood, Clerk]
49. 3-Sep-2024 MEMORANDUM DECISION (Affirmed) Hon Maria Elena Cruz - Author; Hon Samuel A Thumma - Concur; Hon Andrew M Jacobs - Concur (Motion for reconsideration extended thirty days from date of this decision.)
50. 4-Sep-2024 FILED: Decision Distribution Notification