

Court of Appeals, Division One

Criminal

1 CA-CR 23-0165

STATE v. FREDERICKS

Appellate Case Information

Case Filed: 21-Apr-2023

Case Closed: 26-Aug-2024

Decision

Dept/Composition

Department A

Hon. Jennifer B Campbell
Hon. Kent E Cattani
Hon. Paul J McMurdie

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. JEREMY FREDERICKS, Appellant

(Litigant Group) JEREMY FREDERICKS

- Jeremy Fredericks

Attorneys for: Appellant

Matthew Lara, Esq. (AZ Bar No. 29911)

CASE STATUS

Aug 26, 2024...Case Closed

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Contains two rows of case history.

CASE DECISION

18-Jul-2024 MEMORANDUM DECISION

Kent Cattani.....Author
Jennifer Campbell.....Concur
Paul McMurdie.....Concur

Filed: 18-Jul-2024 Mandate: 26-Aug-2024
Decision Disposition
Affirmed

39 PROCEEDING ENTRIES

- 1. 21-Apr-2023 FILED: Notice of Appeal from Navajo County Superior Court filed 08/29/22.
2. 25-Apr-2023 FILED: e-Record on Appeal: S0900CR202101151
3. 25-Apr-2023 FILED: e-Record on Appeal: S0900CR202101153

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4. 27-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Clerk's Notice of Filing for S0900CR202101151)
5. 27-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Clerk's Notice of Filing for S0900CR202101153)
6. 1-May-2023 FILED: Appellate Clerk Notice (31.2(g))
7. 1-May-2023 FILED: Courtesy Copy - Clerk's Notice of Filing Notice of Appeal and Index of Reported Hearings (Duplicate for S0900CR202101151)
8. 1-May-2023 FILED: Courtesy Copy - Clerk's Notice of Filing Notice of Appeal and Index of Reported Hearings (Duplicate for S0900CR202101153)
9. 7-May-2023 FILED: Reporter's Transcript - 05/23/2022 - Arraignment (Kelly E. Palmer)
10. 13-Jun-2023 FILED: Reporter's Transcript - 08/22/2022 - Disposition (Reset) - Case Management Conference (Clark Edwards)
11. 13-Jun-2023 FILED: Reporter's Transcript - 08/25/2022 - Disposition - Sentence to Prison (Clark Edwards)
12. 13-Jun-2023 FILED: Reporter's Transcript - 10/21/2021 - Disposition (Clark Edwards)
13. 13-Jun-2023 FILED: Reporter's Transcript - 11/16/2021 - Sentence to Probation (Clark Edwards)
14. 13-Jun-2023 FILED: Reporter's Transcript - 06/20/2022 - Donald Hearing/Settlement Conference (Clark Edwards)
15. 13-Jun-2023 FILED: Reporter's Transcript - 07/12/2022 - Change of Plea Hearing (CR2022-00602) (Reset) Admission Hearing (CR2021-01151 & CR2021-01153)(Reset) (Clark Edwards)
16. 13-Jun-2023 FILED: Notice of Completion of Record
17. 27-Jul-2023 FILED: Motion for Order Seeking Extension of Time to File Opening Brief; Motion for Order Seeking Extension of Time to File Opening Brief (Certificate of Service) (Appellant)
18. 27-Jul-2023 ORDERED: Motion for Order Seeking Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 07-28-2023 to Monday, 08-28-2023. Benjamin A Armstrong ProTem Judge - Author
19. 25-Aug-2023 FILED: Motion to Supplement the Record on Appeal, Transcribe the 8/2/22, 7/12/22 and Extend Time for Filing Opening Brief; Motion to Supplement the Record on Appeal, Transcribe the 8/2/22, 7/12/22 and Extend Time for Filing Opening Brief (Certificate of Service) (Appellant)
20. 5-Sep-2023 ORDERED: Motion to Supplement the Record on Appeal, Transcribe the 8/2/22, 7/12/22 (Appellant) = GRANTED and directing Linnie Bielefeldt to arrange for the preparation of transcript dated 0/02/2022 due by 10/05/2023. FURTHER ORDERED: Motion to Extend Time for Filing Opening Brief = GRANTED. Due date EXTENDED from Monday, 08-28-2023 to Monday, 11-06-2023. FURTHER ORDERED: Directing appellant's counsel to comply with Division One Administrative Orders 2019-02 and 2020-03 in all future motions to supplement the record filed in this court. Failure to do so will result in the denial of the motion. Benjamin A Armstrong ProTem Judge - Author
21. 17-Oct-2023 ORDERED: Extending the time to file the transcript 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
22. 16-Nov-2023 FILED: Reporter's Transcript - 08/02/2022 - Case Management Conference/Contested Revocation Hearing (Clark L. Edwards)
23. 18-Dec-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service on Opening Brief (Appellant)
24. 22-Dec-2023 FILED: Notice of Appearance; Certificate of Service (Appellee)
25. 25-Jan-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
26. 26-Jan-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 01-29-2024 to Wednesday, 02-28-2024 Benjamin A Armstrong ProTem Judge - Author
27. 30-Jan-2024 FILED: Motion to Supplement the Record; Certificate of Service (Appellee)
28. 7-Feb-2024 ORDERED: Motion to Supplement the Record (Appellee) = GRANTED and supplementing the record on appeal by including the six exhibits admitted into evidence at the proceeding designated above. FURTHER ORDERED: Directing the Clerk of the Navajo County Superior Court to forward the exhibits to this court by 03/07/2024, marked for filing in this appeal. FURTHER ORDERED: Answering brief is due by 04/08/2024. Benjamin A Armstrong ProTem Judge - Author
29. 8-Mar-2024 FILED: Notice to the Court of Appeals (Request for Stay) (Clerk of the Court for Navajo County Superior Court)

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Criminal

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39 PROCEEDING ENTRIES

30. 11-Mar-2024 FILED: Motion to Stay Appeal and Revest Jurisdiction to Reconstruct the Record; Certificate of Service (Appellee)
31. 12-Mar-2024 ORDERED: Pursuant to Arizona Rule of Criminal Procedure 31.8(g), granting the motion, staying this appeal until 04/11/2024, and reverting jurisdiction in the Navajo County Superior Court to permit that court and the parties to reconstruct/settle the record. FURTHER ORDERED: Authorizing the superior court to rule on and settle the record in furtherance of this appeal. FURTHER ORDERED: Directing the clerk of the superior court to transmit to this court by 04/12/2024, a certified copy of the written findings and/or the reconstructed materials, marked for filing in this appeal. FURTHER ORDERED: That the stay will be automatically lifted on 04/12/2024. FURTHER ORDERED: The answering brief is due by 05/13/2024. Benjamin A Armstrong ProTem Judge - Author
32. 1-Apr-2024 FILED: Additional Record on Appeal (Clerk's Certificate of Transmittal of Physical Exhibits to Division One of the Arizona Court of Appeals)
Physical Exhibits:
Hearing Date: 08/02/2022 List # 1 2 3 4 5 6
33. 20-Apr-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
34. 1-May-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
35. 8-May-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (ME: Status Conference)
36. 28-May-2024 CLNDR: CONFERENCE, Department A, 6-26-24, CONFERENCE ROOM.
37. 18-Jul-2024 MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Jennifer B Campbell - Concur; Hon Paul J McMurdie - Concur
38. 18-Jul-2024 FILED: Decision Distribution Notification
39. 26-Aug-2024 FILED: Mandate, Physical record to clerk, Navajo County Superior Court.