

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 23-0174

STATE v. BUEHLER

Appellate Case Information

Case Filed: 3-May-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. EDWARD A BUEHLER, Appellant

(Litigant Group) EDWARD A BUEHLER

- Edward A Buehler

Attorneys for: Appellant

Adam Zickerman, Esq. (AZ Bar No. 22320)

CASE STATUS

Jun 17, 2024...At Issue

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, P1300CR202101370, Resisting Arrest, Class 1, 4 months, Yavapai County Jail, Debra R Phelan, Sentencing, JURY.

37 PROCEEDING ENTRIES

- 1. 3-May-2023 FILED: Notice of Appeal from Yavapai County Superior Court filed 04/19/23. Notification sent to Court Reporters dated 04/26/2023.
2. 3-May-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 22 81 Exhibits: Hearing Date: 03/09-03/10/2023 List # P1 P2 P3 P4 P5 P6 P7 P8 P9 P10 P11 P12 P13 P14 D1 D2 D3 D4 D5 D6 D7 D8 D9 D10 D11 D12 D13 D14 D15 D16 D17 D18 D19 D20 D21 D22 D23 D24 D25 D26 D27 D28 D29 D30 D31 D32 D33 D34 Hearing Date: 04/18/2023 List # P12 P13 P14 P15
3. 4-May-2023 FILED: Appellate Clerk Notice (31.2(g))
4. 5-May-2023 ORDERED: Directing Contract Administrator of the Yavapai County Public Defender to assign new contract counsel to represent appellant in this appeal and to provide this court the name of assigned counsel by 05/19/2023. FURTHER ORDERED: Additional orders regarding the preparation and filing of transcripts will be issued once court received name of contract counsel. Benjamin A Armstrong ProTem Judge - Author
5. 8-May-2023 FILED: Notice of Assignment; Certificate of Service (Appellant)
6. 16-May-2023 FILED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi)
7. 16-May-2023 ORDERED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi) = GRANTED. Due Dates EXTENDED to 07/05/2023 for Transcripts dated 03/09/2023, 03/10/2023, 04/18/2023. FURTHER ORDERED: If transcripts not filed by 7/5/23, Susanne Nardozzi to appear at Show Cause Hearing 7/19/23 at 2:30 pm. Hon David B Gass - Author [VACATED per order filed 06/29/2023]
8. 25-May-2023 FILED: Untitled Motion for Extension (Time to File Transcripts) (Mina G. Hunt)
9. 25-May-2023 ORDERED: Untitled Motion for Extension (Time to File Transcripts) (Mina G. Hunt) = GRANTED. Due Dates EXTENDED to 07/05/2023 for Transcripts dated 03/09/2023, 03/10/2023 or OSC set on 07/19/2023. Hon David B Gass - Author
10. 27-Jun-2023 FILED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi)
11. 28-Jun-2023 ORDERED: Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi) = GRANTED. Due Dates EXTENDED to 08/04/2023 for Transcripts dated 03/09/2023, 03/10/2023, 04/18/2023 or OSC set on 08/16/2023. Hon David B Gass - Author
12. 29-Jun-2023 ORDERED: Vacating OSC set for 07/19/2023, for Court Reporter Susanne Nardozzi. Hon David B Gass - Author
13. 4-Jul-2023 FILED: Reporter's Transcript - 03/09/2023 - Trial Day One (Mina G. Hunt)
14. 4-Jul-2023 FILED: Reporter's Transcript - 03/10/2023 - Trial Day Two (Mina G. Hunt)

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15. 4-Aug-2023 FILED: Reporter's Transcript - 04/18/2023 - Re: Sentencing (Susanne Nardozzi)
16. 4-Aug-2023 FILED: Reporter's Transcript - 03/09/2023 - Re: Final Pretrial Conference/ Jury Trial Day 1 (Susanne Nardozzi)
17. 4-Aug-2023 FILED: Reporter's Transcript - 03/10/2023 - Re: Jury Trial Day 2 (Susanne Nardozzi)
18. 7-Aug-2023 FILED: Notice of Completion of Record
19. 26-Sep-2023 FILED: Appellate Counsel's Motion to Modify the Deadline to File Opening Brief and Notice of Apology to the Court; Certificate of Service (Appellant)
20. 27-Sep-2023 ORDERED: Appellate Counsel's Motion to Modify the Deadline to File Opening Brief and Notice of Apology to the Court (Appellant) = GRANTED. Due date EXTENDED from Thursday, 09-21-2023 to Thursday, 11-09-2023. Benjamin A Armstrong ProTem Judge - Author
21. 13-Nov-2023 FILED: Appellant's Motion to Modify the Deadline to File Opening Brief; Certificate of Service (Appellant)
22. 13-Nov-2023 ORDERED: Directing court reporters Mina Hunt and Susanne Nardozzi to provide appellant's counsel one copy of the transcripts designated above if they have not already done so, and to do so by 12/13/2023. FURTHER ORDERED: Opening brief is due by 01/12/2024. FURTHER ORDERED: In all other matters in which appellant's counsel appears in this court, appellant's counsel must comply with Division One Administrative Order 2020-03, which provides in relevant part that if a party has not obtained an order extending the time to file a brief prior to the deadline to file, the brief must be timely filed. Benjamin A Armstrong ProTem Judge - Author
23. 18-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Previously recieved transcripts)
Reporter's Transcripts: 03/09/2023 (Susanne Nardozzi), 03/10/2023 (Susanne Nardozzi), 04/18/2023 (Susanne Nardozzi)
24. 15-Jan-2024 FILED: Appellate Counsel's Motion to Withdraw and Appoint New Counsel; Certificate of Service (Appellant)
25. 16-Jan-2024 ORDERED: Appellate Counsel's Motion to Withdraw and Appoint New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Directing the Contract Administrator of the Yavapai County Public Defender to assign new counsel to represent appellant in this appeal and to provide this court the name of assigned counsel by 02/06/2024. FURTHER ORDERED: Vacating the 01/12/2024 deadline to file the opening brief. Benjamin A Armstrong ProTem Judge - Author
26. 17-Jan-2024 FILED: Notice of Assignment; Certificate of Service (Appellant)
27. 18-Jan-2024 ORDERED: That Attorney Katherine Winkley must immediately forward all files, records, transcripts, and other documents that relate to this appeal to newly appointed counsel. FURTHER ORDERED: The opening brief is due by 03/04/2024. Benjamin A Armstrong ProTem Judge - Author
28. 18-Jan-2024 FILED: Notice of Limited Appearance; Notice of Limited Appearance (Certificate of Service) (Appellant)
29. 26-Jan-2024 FILED: Returned US Mail, Order Granting Motion to Withdraw dated 1/16/24, addressed to Edward Buehler, Return to Sender (Not Resent)
30. 21-Feb-2024 FILED: Motion for Thirty- Day Extension for Appeal Opening Brief; Certificate of Service Re: Motion for Thirty- Day Extension for Appeal Opening Brief (Appellant)
31. 22-Feb-2024 ORDERED: Motion for Thirty- Day Extension for Appeal Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-04-2024 to Wednesday, 04-03-2024. Benjamin A Armstrong ProTem Judge - Author
32. 21-Mar-2024 FILED: Motion for Thirty- Day Extension for Appeal Opening Brief; Certificate of Service Re: Motion for Thirty- Day Extension for Appeal Opening Brief (Appellant)
33. 21-Mar-2024 ORDERED: Motion for Thirty- Day Extension for Appeal Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 04-03-2024 to Friday, 05-03-2024 Geoffrey P Butzine ProTem Judge - Author
34. 2-May-2024 FILED: Appellant's Opening Brief (Anders Brief); Certificate of Compliance re: Appellant's Opening Brief (Anders Brief); Certificate of Service Re: Appellant's Opening Brief (Anders Brief) (Appellant)
35. 6-May-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 06/17/2024. FURTHER ORDERED: Answering brief to await court order. Benjamin A Armstrong ProTem Judge - Author
36. 20-May-2024 FILED: Returned US Mail, Order Permitting Supplemental Opening Brief dated 05/06/2024, addressed to Edward A Buehler, Vacant (Resent 05/21/2024)
37. 27-Jun-2024 FILED: Notice of Filing: Transmittal Letter; Certificate of Service re: Notice of Filing Returned Mail (Appellant)

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