

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 23-0230

STATE v. KEE

Appellate Case Information

Case Filed: 19-Jun-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. SHAIN KYLE KEE, Appellant

(Litigant Group) SHAIN KYLE KEE

- Shain Kyle Kee

Attorneys for: Appellant

Michael J Dew, Esq. (AZ Bar No. 4543)

CASE STATUS

Aug 21, 2024...At Issue

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, V1300CR202180696, Sexual Assault (Victim: K.B. Under 15 years of age) Dangerous crime against children, 22 years, ADOC, Michael R Bluff, Sentencing, JURY.

36 PROCEEDING ENTRIES

- 1. 19-Jun-2023 FILED: Notice of Appeal from Yavapai County Superior Court filed 05/25/23. Notification sent to Court Reporters dated 06/08/2023.
2. 19-Jun-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: Hearing Date: 04/05/2023 List # 4 5 6 7 8 9 10 11 12 17 18 19 Hearing Date: 04/07/2023 List # 13 14 16
3. 22-Jun-2023 FILED: Appellate Clerk Notice (31.2(g))
4. 22-Jun-2023 ORDERED: Recognizing appellant's notice of appeal was filed in the superior court on 05/25/2023. Benjamin A Armstrong ProTem Judge - Author
5. 26-Jun-2023 ORDERED: Court Reporters Carol Dillon and Debra Upham transcripts due by 08/07/2023. Benjamin A Armstrong ProTem Judge - Author
6. 31-Jul-2023 FILED: Motion for Extension of Time (Time to File Transcripts) (Carol Dillon)
7. 1-Aug-2023 FILED: Reporter's Transcript - 04/04/2023 - Jury Trial, Day One of Five (Debra K. Upham)
8. 1-Aug-2023 FILED: Reporter's Transcript - 04/07/2023 - Jury Trial, Day Three of Five (PM Session) (Debra K. Upham)
9. 1-Aug-2023 FILED: Reporter's Transcript - 04/12/2023 - Jury Trial, Day Five of Five (Debra K. Upham)
10. 1-Aug-2023 FILED: Reporter's Transcript - 05/08/2023 - Judgment of Guilt and Sentence (Debra K. Upham)
11. 1-Aug-2023 ORDERED: Motion for Extension of Time (Time to File Transcripts) (Carol Dillon) = GRANTED. Due Dates EXTENDED to 09/06/2023 for Transcripts dated 04/05/2023, 04/07/2023, 04/11/2023 or OSC set on 09/13/2023 [sic]. Hon Randall M Howe - Author [AMENDED per order filed 08/10/2023]
12. 1-Aug-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 23-0230****STATE v. KEE****36 PROCEEDING ENTRIES**

13. 10-Aug-2023 AMENDED ORDER: Motion for Extension of Time (Time to File Transcripts) (Carol Dillon) = GRANTED. Due Dates EXTENDED to 09/06/2023 for Transcripts dated 04/05/2023, 04/07/2023, 04/11/2023 or OSC set on 09/20/2023. Hon Randall M Howe - Author
[VACATED per order filed 09/05/2023]
14. 1-Sep-2023 FILED: Motion to Extend (Time to File Transcripts) (Carol Dillon)
15. 5-Sep-2023 ORDERED: Motion to Extend (Time to File Transcripts) (Carol Dillon) = GRANTED. Due Dates EXTENDED to 10/06/2023 for Transcripts dated 04/05/2023, 04/07/2023, 04/11/2023 or OSC set on 10/18/2023. FURTHER ORDERED: Vacating OSC set for 09/20/2023. Hon Randall M Howe - Author
16. 6-Oct-2023 FILED: Reporter's Transcript - 04/05/2023 - Jury Trial Day 1 (Carol Dillon)
17. 6-Oct-2023 FILED: Reporter's Transcript - 04/07/2023 - Jury Trial Day 3 (Carol Dillon)
18. 6-Oct-2023 FILED: Reporter's Transcript - 04/11/2023 - Jury Trial Day 4 (Carol Dillon)
19. 12-Oct-2023 FILED: Notice of Completion of Record
20. 30-Oct-2023 FILED: Notice of Limited Appearance; Certificate of Service Re: Notice of Limited Appearance (Appellant)
21. 11-Dec-2023 ORDERED: The opening brief must be filed by 01/22/2024. Benjamin A Armstrong ProTem Judge - Author
22. 11-Dec-2023 FILED: Motion to Withdraw Notice of Limited Appearance; Motion to Withdraw Notice of Limited Appearance (Duplicate) (Appellant)
23. 14-Dec-2023 FILED: Notice of Reassignment; Certificate of Service (Appellant)
24. 14-Dec-2023 FILED: Notice of Appointment of Appellate Counsel; Certificate of Service (Appellant)
25. 18-Dec-2023 ORDERED: Motion to Withdraw Notice of Limited Appearance (Appellant) = GRANTED. FURTHER ORDERED: Acknowledging the appointment of Michael Dew as new counsel for appellant in this appeal. FURTHER ORDERED: Mr. Zickerman must immediately forward any files, records, transcripts, and other documents in his possession that relate to this appeal to newly appointed counsel. FURTHER ORDERED: Opening brief is due by 03/07/2024. Benjamin A Armstrong ProTem Judge - Author
26. 22-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
27. 25-Jan-2024 FILED: Motion for Transcription of Voir Dire Proceedings; Certificate of Service (Appellant)
28. 29-Jan-2024 ORDERED: Motion for Transcription of Voir Dire Proceedings (Appellant) = GRANTED. Court reporter Debra Upham transcript dated 04/04/2023 due 02/28/2024. FURTHER ORDERED: Opening Brief due 03/29/2024. Benjamin A Armstrong ProTem Judge - Author
29. 22-Feb-2024 FILED: Reporter's Transcript - 04/04/2023 - Transcript of Excerpt Jury Voir Dire (Debra K. Upham)
30. 14-Mar-2024 FILED: Appellant's Opening Brief (Anders); Certificate of Compliance; Certificate of Service (Appellant)
31. 19-Mar-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 04/29/2024. FURTHER ORDERED: Answering brief to await court order. Benjamin A Armstrong ProTem Judge - Author
32. 19-Mar-2024 FILED: Notice of Filing Defendant's Letter of Transmittal; Certificate of Service (Appellant)
33. 26-Apr-2024 FILED: Request for Extension of Time and Order to Compel Appointed Counsel to Provide Documents (Appellant Pro Per)
34. 24-Jun-2024 FILED: Second Motion Requesting Extension of Time and Order to Compel Counsel to Provide Documents (Appellant Pro Per)
35. 8-Jul-2024 FILED: Letter, dated 06/27/2024, from Yavapai Superior Court to Michael Dew re: Pro Per Motions
36. 22-Jul-2024 ORDERED: Motion to Order to Compel Counsel to Provide Documents (Appellant Pro Per) = DENIED. FURTHER ORDERED: Request for Extension of Time = GRANTED. Due date EXTENDED to Wednesday, 08-21-2024. Pursuant to Division One Administrative Order 2020-03, the court will not grant any further extension absent a showing of new and unforeseen circumstances constituting good cause. Benjamin A Armstrong ProTem Judge - Author