

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 23-0267

STATE v. MORTIMER

Appellate Case Information

Case Filed: 10-Jul-2023

Case Closed:

Dept/Composition

Department D

Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

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. JAMES W. MORTIMER, III, Appellant

(Litigant Group) JAMES W. MORTIMER, III

- James W. Mortimer, III

Attorneys for: Appellant

Janelle A McEachern, Esq. (AZ Bar No. 16652)

CASE STATUS

Jul 15, 2024.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015CR202200814, Attempted Sexual Assault, Class 3, 2 years, ADOC, Douglas Camacho, Sentencing, JURY.

DESCENDENT CASE(S)

ASC CR-24-0169-PR

CASE DECISION

11-Jun-2024 MEMORANDUM DECISION

Jennifer Campbell.....Author
Samuel Thumma.....Concur
Michael Brown.....Concur

Filed: 11-Jun-2024 Mandate:

Decision Disposition

Affirmed

29 PROCEEDING ENTRIES

- 1. 10-Jul-2023 FILED: Notice of Appeal from Mohave County Superior Court filed 06/26/23. Notification sent to Court Reporters dated 07/05/2023.
2. 10-Jul-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Exhibits: Hearing Date: 05/15/2023 List # A1 A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 A16 A17 A18 A19 B1
3. 10-Jul-2023 FILED: Appellate Clerk Notice (31.2(g))
4. 17-Jul-2023 FILED: Notice of Appearance; Certificate of Mailing (Appellant)
5. 21-Jul-2023 FILED: Reporter's Transcript - 05/16/2023 - Jury Trial - Day 2 (Theresa Salsberry) [Order to Seal filed on 06/11/2024]
6. 21-Jul-2023 FILED: Reporter's Transcript - 05/17/2023 - Jury Trial - Day 3 (Theresa Salsberry) [Order to Seal filed on 06/11/2024]
7. 21-Jul-2023 FILED: Reporter's Transcript - 06/15/2023 - Judgment and Sentencing (Theresa Salsberry)
8. 4-Aug-2023 FILED: Reporter's Transcript - 05/15/2023 - Jury Trial - Day 1 (Theresa Salsberry) [Order to Seal filed on 06/11/2024]
9. 4-Aug-2023 FILED: Notice of Completion of Record

Court of Appeals, Division One**Criminal - Anders Appeal****1 CA-CR 23-0267****STATE v. MORTIMER****29 PROCEEDING ENTRIES**

10. 22-Sep-2023 ORDERED: Opening brief due by 10/02/2023 or OSC set on 10/04/2023. Benjamin A Armstrong ProTem Judge - Author
[VACATED per order filed 10/02/2023]
11. 29-Sep-2023 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Mailing (Appellant)
12. 2-Oct-2023 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 10-02-2023 to Wednesday, 11-01-2023. FURTHER ORDERED: Vacating the OSC set for 10/04/2023. Benjamin A Armstrong ProTem Judge - Author
13. 1-Nov-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Mailing; Motion for Leave of Appellant to File Opening Brief in Propria Persona (Appellant)
14. 1-Nov-2023 ORDERED: If appellant wishes to file a pro se supplemental opening brief raising additional issues on appeal, appellant must do so by 12/11/2023. If appellant chooses to file a supplemental opening brief, appellant must file an original and one copy with the Clerk of this Court, provide two copies to appellee and provide one copy to appellant's counsel. FURTHER ORDERED: Directing appellant's counsel to furnish appellant a paper copy of the opening brief, together with a paper copy of all records on appeal, including all transcripts in counsel's possession. Counsel shall provide the Clerk of this Court and appellee a copy of counsel's transmittal letter, specifying the documents forwarded to appellant. FURTHER ORDERED: The filing of an answering brief shall await further order of the Court. Benjamin A Armstrong ProTem Judge - Author Benjamin A Armstrong ProTem Judge - Author
15. 13-Nov-2023 FILED: Letter, dated 11/07/2023, to Appellant from Counsel re: Forwarding records on appeal (Appellant)
16. 11-Dec-2023 FILED: Appellant's Opening Brief (Supplemental Opening Brief) (Appellant)
[Order to Seal filed on 06/11/2024]
17. 18-Dec-2023 FILED: Witness Statement in Regard to Case Listed Above (Kaitlin N. Coleman)
18. 19-Dec-2023 ORDERED: Regarding Witness Statement of Kaitlin Coleman = TAKING NO ACTION. Benjamin A Armstrong ProTem Judge - Author
19. 15-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
20. 20-Mar-2024 FILED: Letter, dated 03/15/2024, from Appellant Pro Per re: New Information
21. 22-Mar-2024 ORDERED: The Court will take no action regarding the 03/15/2024, letter. Geoffrey P Butzine ProTem Judge - Author
22. 16-May-2024 FILED: Assigning Anders appeal to Dept D for consideration and disposition. [Amy M. Wood, Clerk]
23. 11-Jun-2024 ORDERED: Directing the clerk of this court to seal trial transcripts filed 05/15/2023, 05/16/2023, 05/17/2023 along with appellant's supplemental anders brief filed 12/11/2023, subject to access by court personnel as needed for processing this appeal. Hon Jennifer B Campbell - Author
24. 11-Jun-2024 MEMORANDUM DECISION (Affirmed) Hon Jennifer B Campbell - Author; Hon Samuel A Thumma - Concur; Hon Michael J Brown - Concur (Motion for reconsideration extended thirty days from date of this decision.)
25. 11-Jun-2024 FILED: Decision Distribution Notification
26. 26-Jun-2024 FILED: Motion for Reconsideration (Appellant Pro Per)
27. 27-Jun-2024 ORDERED: Motion for Reconsideration (Appellant Pro Per) = DENIED. Hon Jennifer B Campbell - Author
28. 15-Jul-2024 FILED: Email Notice from ASC re: Petition for Review filed 07/12/24; request for partial record
29. 15-Jul-2024 FILED: Letter forwarding partial record to Arizona Supreme Court