

Court of Appeals, Division One

Criminal

1 CA-CR 23-0312

STATE v. TUPA

Appellate Case Information

Case Filed: 2-Aug-2023

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Amy Pignatella Cain, Esq. (AZ Bar No. 20629)

Side 2. JASON AARON TUPA, Appellant

(Litigant Group) JASON AARON TUPA

- Jason Aaron Tupa

Attorneys for: Appellant

Sharolynn Griffiths, Esq. (AZ Bar No. 25509)

CASE STATUS

Oct 20, 2023.....Record Complete-Notice Completion Sent

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2020-001622-001, See file, See file, David W Garbarino, Sentencing, JURY, Dispo.

OPEN DUE DATE

Answering Brief Due

Due By: Wednesday, September 18, 2024

Re: FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)

[1 extension]

57 PROCEEDING ENTRIES

- 1. 2-Aug-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 07/28/23. Notification to Court Reporters dated 08/01/2023.
2. 2-Aug-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 3-Aug-2023 FILED: Motion to Withdraw as Counsel of Record and Motion to Appoint Appellate Counsel; Certificate of Service (Appellant)
4. 4-Aug-2023 ORDERED: Directing appellant to make arrangements with the court reporter(s) to pay for the preparation of the transcripts by 09/05/2023. FURTHER ORDERED: Directing appellant to file a notice in this court by 09/12/2023, as to the arrangements made.
5. 7-Aug-2023 ORDERED: Motion to Withdraw as Counsel of Record and Motion to Appoint Appellate Counsel (Appellant) = DENIED. FURTHER ORDERED: Directing appellant to comply with the 08/04/2023, order to make financial arrangements for the preparation of transcripts or, if appropriate, file a motion in the superior court to proceed as an indigent on appeal.
6. 9-Aug-2023 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court reporters Lauren Kuhnhehn, Tara Kramer, Kristine Mayo, Nicole Tatlow, and Luz Franco transcripts due 09/25/2023.
7. 18-Aug-2023 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)
8. 21-Aug-2023 ORDERED: Ken Crenshaw transcript(s) dated 07/30/2020, 08/19/2022, 01/05/2023, 01/12/2023, 04/17/2023, 05/05/2023, 05/10/2023, due by 10/05/2023. FURTHER ORDERED: Court Reporter Jennifer Church transcript(s) dated 10/04/2022 due by 10/05/2023. FURTHER ORDERED: Court Reporter Hope Yeager transcript(s) dated 10/13/2022, due by 10/05/2023. FURTHER ORDERED: Court Reporter Tara L Kramer transcript(s) dated 12/05/2022, due by 10/05/2023. FURTHER ORDERED: Reaffirming this previously set due date of 09/25/2023 for transcripts dated 05/18/2023, 05/22/2023, 05/23/2023, 05/24/2023, 06/06/2023, 06/07/2023, 06/08/2023, for Court Reporter Tara L Kramer. Hon Randall M Howe - Author

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9. 8-Sep-2023 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 05/16/2023 List # 10 17 in manila envelope  
  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope
10. 8-Sep-2023 FILED: Reporter's Transcript - 12/05/2022 - Status Conference - (Tara L. Kramer)
11. 8-Sep-2023 FILED: Reporter's Transcript - 05/18/2023 - Jury Trial - (Tara L. Kramer)
12. 8-Sep-2023 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None sent with e-Record
13. 11-Sep-2023 FILED: Reporter's Transcript - 05/22/2023 - Jury Trial - (Tara L. Kramer)
14. 14-Sep-2023 FILED: Reporter's Transcript - 05/23/2023 - Jury Trial - (Tara L. Kramer)
15. 15-Sep-2023 FILED: Reporter's Transcript - 10/13/2022 - Trial Continuance - PM - (Hope J Yeager)
16. 20-Sep-2023 FILED: Reporter's Transcript - 05/24/2023 - Jury Trial - (Tara L. Kramer)
17. 22-Sep-2023 FILED: Reporter's Transcript - 06/01/2023 - Trial Day 8 (Nicole Tatlow)
18. 24-Sep-2023 FILED: Untitled Motion for Extension (Time to File Transcripts) (Lauren Kuhnhenh)
19. 25-Sep-2023 ORDERED: Untitled Motion for Extension (Time to File Transcripts) (Lauren Kuhnhenh) = GRANTED. Due Dates EXTENDED to 10/25/2023 for Transcripts dated 05/16/2023, 05/17/2023 or OSC set on 11/01/2023. Hon Randall M Howe - Author
20. 25-Sep-2023 FILED: Reporter's Transcript - 06/06/2023 - Jury Trial - (Tara L. Kramer)
21. 25-Sep-2023 FILED: Reporter's Transcript - 06/07/2023 - Jury Trial - (Tara L. Kramer)
22. 25-Sep-2023 FILED: Reporter's Transcript - 06/08/2023 - Jury Trial - (Tara L. Kramer)
23. 25-Sep-2023 FILED: Reporter's Transcripts - 5/30/2023 - Trial Day 7 - (Kristine Mayo)
24. 25-Sep-2023 FILED: Reporter's Transcript - 07/21/2023 - Sentencing (Luz Franco)
25. 27-Sep-2023 FILED: Reporter's Transcript - 10/04/2022 - Final Trial Management Conference (Jennifer Church)
26. 4-Oct-2023 FILED: Reporter's Transcript - 07/30/2020 - Arraignment (Becky Kleiner)
27. 4-Oct-2023 FILED: Reporter's Transcript - 08/19/2022 - Trial Management Conference (Becky Kleiner)
28. 4-Oct-2023 FILED: Reporter's Transcript - 01/05/2023 - Trial Management Conference (Becky Kleiner)
29. 4-Oct-2023 FILED: Reporter's Transcript - 01/12/2023 - Status Conference (Becky Kleiner)
30. 4-Oct-2023 FILED: Reporter's Transcript - 04/17/2023 - Status Conference (Becky Kleiner)
31. 4-Oct-2023 FILED: Reporter's Transcript - 05/05/2023 - Trial Procedure Conference (Becky Kleiner)
32. 4-Oct-2023 FILED: Reporter's Transcript - 05/10/2023 - Settlement Conference (Becky Kleiner)
33. 11-Oct-2023 FILED: Reporter's Transcripts - Jury Trial - 05/16/2023 (Lauren Kuhnhenh)
34. 13-Oct-2023 FILED: Reporter's Transcripts - 05/17/2023 - Jury Trial - (Lauren Kuhnhenh)
35. 20-Oct-2023 FILED: Notice of Completion of Record
36. 24-Oct-2023 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
37. 30-Oct-2023 ORDERED: Motion To Withdraw And Substitute New Counsel(Appellant) = GRANTED and appointing attorney Stephen Duncan as attorney for appellant in this appeal. FURTHER ORDERED: The 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 12/04/2023 to 01/18/2024. Benjamin A Armstrong ProTem Judge - Author

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38. 18-Jan-2024 FILED: Motion for Procedural Order (Extension of Time to File Opening Brief); Certificate of Service (Appellant)
39. 19-Jan-2024 ORDERED: Motion for Procedural Order (Extension of Time to File Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Thursday, 01-18-2024 to Tuesday, 02-20-2024 Benjamin A Armstrong ProTem Judge - Author
40. 20-Feb-2024 FILED: Motion for Procedural Order (Extension of Time to File Opening Brief); Certificate of Service (Appellant)
41. 21-Feb-2024 ORDERED: Motion for Procedural Order (Extension of Time to File Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 02-20-2024 to Thursday, 03-21-2024 Benjamin A Armstrong ProTem Judge - Author
42. 21-Mar-2024 FILED: Motion for Procedural Order (Extension of Time to File Opening Brief); Certificate of Service (Appellant)
43. 21-Mar-2024 FILED: Stipulation for Substitution of Counsel and Consent; Certificate of Service (Appellant)
44. 21-Mar-2024 FILED: Motion for Procedural Order (Extension of Time to File Opening Brief) (Duplicate); Certificate of Service (Appellant)
45. 21-Mar-2024 ORDERED: Motion for Procedural Order (Extension of Time to File Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Thursday, 03-21-2024 to Monday, 04-22-2024 Geoffrey P Butzine ProTem Judge - Author
46. 25-Mar-2024 ORDERED: Substituting attorney Sharolynn Griffiths as counsel for appellant for all remaining proceedings on appeal in place of attorney Stephen Duncan. FURTHER ORDERED: The opening brief must be filed by 05/06/2024. Benjamin A Armstrong ProTem Judge - Author
47. 6-May-2024 FILED: Motion for Procedural Order (Extension of Time to File Opening Brief); Certificate of Service (Appellant)
48. 7-May-2024 ORDERED: Motion for Procedural Order (Extension of Time to File Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-06-2024 to Wednesday, 06-05-2024. Benjamin A Armstrong ProTem Judge - Author
49. 5-Jun-2024 FILED: Motion for Procedural Order (Extension of Time to File Opening Brief); Certificate of Service (Appellant)
50. 6-Jun-2024 FILED: Supplemental Motion for Procedural Order (Extension of Time to File Opening Brief); Certificate of Service (Appellant)
51. 7-Jun-2024 ORDERED: Motion for Procedural Order (Extension of Time to File Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 06-05-2024 to Friday, 07-05-2024. Benjamin A Armstrong ProTem Judge - Author
52. 5-Jul-2024 FILED: Appellant's Opening Brief; Certificate of Compliance (Duplicate); Certificate of Service (Duplicate)(Appellant)  
[STRICKEN per order filed 07/08/2024]
53. 8-Jul-2024 ORDERED: Striking the opening brief filed 07/05/2024. FURTHER ORDERED: Appellant may file a signed replacement reply brief by 07/15/2024. Benjamin A Armstrong ProTem Judge - Author
54. 10-Jul-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
55. 11-Jul-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
56. 14-Aug-2024 FILED: Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
57. 15-Aug-2024 ORDERED: Motion for Procedural Order (Extension for Answering Brief)(Appellee) = GRANTED. Due date EXTENDED from Wednesday, 08-19-2024 to Wednesday, 09-18-2024 Benjamin A Armstrong ProTem Judge - Author