

Court of Appeals, Division One

Criminal

1 CA-CR 23-0345

STATE v. ENGLISH

Appellate Case Information

Case Filed: 18-Aug-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. JOSIAH ENGLISH, III, Appellant

(Litigant Group) JOSIAH ENGLISH, III

- Josiah English, III

PRO SE

Advisory Counsel for: Appellant

Mikel Steinfeld, Esq. (AZ Bar No. 24996)

CASE STATUS

Dec 29, 2023....Record Complete-Notice Completion Sent

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2017-105183-001, Murder 1st, Natural Life, ADOC; 1 year, ADOC; 1 year, ADOC, Jennifer C Ryan-Touhill, Sentencing, JURY.

OPEN DUE DATE

Opening Brief Due

Due By: Monday, September 30, 2024

[4 extensions]

Re: FILED: Notice of Completion of Record

91 PROCEEDING ENTRIES

- 1. 18-Aug-2023 FILED: Defendant's Notice of Appeal to the Arizona Court of Appeals - Division One from Maricopa County Superior Court filed 08/01/23. Notification to Court Reporters dated 08/17/2023.
2. 18-Aug-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 23-Aug-2023 FILED: Appellant's Notice of Change of Address (Petitioner Pro Per)
4. 24-Aug-2023 ORDERED: Appointing the Maricopa County Office of the Public Defender as counsel for Appellant for all further proceedings on appeal. FURTHER ORDERED: Ken Crenshaw and Court reporters Lisa A. Bradley, Lauren Kuhnhenh, Lori D. Reinhardt, Robin G. Lawlor, Scott Kindle, Vanessa Gartner, Kristine Mayo, and Treva B. Colwell transcripts due 10/10/2023. Geoffrey P Butzine ProTem Judge - Author
5. 7-Sep-2023 FILED: Courtesy Copy - Defendant's Waiver of His Right to Appellate Counsel and Request for Advisory Counsel, filed in Maricopa County Superior Court (Appellant Pro Per)
6. 7-Sep-2023 FILED: Courtesy Copy - Defendant's Renewed Motion for Extended Pagination Regarding Motion to Vacate Judgment, filed in Maricopa County Superior Court (Appellant Pro Per)
7. 7-Sep-2023 FILED: Courtesy Copy - Defendant's Amended Notice of Appeal filed in Maricopa County Superior Court (Appellant Pro Per)
8. 7-Sep-2023 FILED: Courtesy Copy - Defendant's Request For Copies of All Documents That Have Been Filed Since Sentencing, filed in Maricopa County Superior Court (Appellant Pro Per)
9. 7-Sep-2023 FILED: Courtesy Copy - Defendant's Designation of Additional Certified Transcripts For Appeal, filed in Maricopa County Superior Court (Appellant Pro Per)
10. 8-Sep-2023 FILED: Reporter's Transcript - 11/17/2021 - Reporter's Transcript of Proceedings (Lisa Bradley)
11. 14-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 1107 Exhibits: None sent with e-Record Includes submission of transcript(s): 594 595 596

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- 12. 14-Sep-2023 ORDERED: Treating all the above documents as courtesy copies of documents filed in the superior court. FURTHER ORDERED: A copy of this order be sent to appellant personally. Benjamin A Armstrong ProTem Judge - Author
- 13. 14-Sep-2023 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 04/15/2022 - List # 1 2 3 6 7 8 9 10 11 12 13 15 16 17 18 20 23 24 in manila envelope (in a box)  
Hearing Date: 11/17/2021 - List # 1 2 3 4 5 7 8 10 11 16 17 18 19 21 in manila envelope (in a box)  
Hearing Date: 04/05/2019 - List # 6 7 9 10 11 12 13 14 16 17 19 in manila envelope (in a box)  
Hearing Date: 03/22/2023 List # 7 10 11 12 13 14 15 16 18 19 20 21 22 23 24 25 26 30 31 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 318 328 330 333.001 334.001 335.001 336.001 358 362 363 364 370 371 372 374 384 385 386 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 412 413 415 416 417 418 419 420 421 422 423 424 425 426 428 429 430 432 433 435 436 437 438 443 446 447 448 449 450 451 452 456 458 459 460 461 463 464 465 466 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 496 499 512 521 522 524 525 526 527 528 529 530 531 532 533 534 535 536 537 550 551 552 553 554 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 608 609 610 611 612 613 614 617 618 619 620 621 622 623 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 646 647 648 649 650 652 657 658 661 670 689 690 691 692 693 694 706 707 777 779 782 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 800 801 803 804 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 863 864 865 865 866 867 868 869 870 871 872 873 875 876 877 in a box  
Hearing Date: 03/22/2023 - REFILED 06/12/2023 List # 494 495 497 498 500 501 502 503 504 505 506 507 508 509 510 511 513 514 515 516 517 518 519 520 523 538 539 540 541 542 543 544 545 546 547 548 549 555 556 557 558 607 643 644 645 651 653 654 655 656 659 660 662 663 664 665 666 667 668 669 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 695 696 697 698 699 700 701 702 703 704 705 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 778 828 in a box  
  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope  
Sealed Document: Filed 06/30/2021 - Exhibits A & B (Cd) to State's Motion to Strike Advisory Counsel's Motion to Dismiss Dated 06/29/2021  
Filed 11/02/2021 - Exhibits 3 & 4 Attached to the Response - CD
- 14. 25-Sep-2023 FILED: Reporter's Transcript - 04/15/2022 - Reporter's Transcript of Proceedings (Lisa Bradley)
- 15. 26-Sep-2023 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
- 16. 2-Oct-2023 FILED: Reporter's Transcripts - 05/09/2023 - Trial - Day 22 (Treva B. Colwell)
- 17. 2-Oct-2023 FILED: Reporter's Transcripts - 05/10/2023 - Trial - Day 23 (Treva B. Colwell)
- 18. 2-Oct-2023 FILED: Reporter's Transcripts - 05/11/2023 - Trial - Day 24 (Treva B. Colwell)
- 19. 2-Oct-2023 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the (see order), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
- 20. 4-Oct-2023 FILED: Reporter's Transcripts - 05/01/2023 - Trial Day 18 (Vanessa Gartner)
- 21. 4-Oct-2023 FILED: Reporter's Transcripts - 05/03/2023 - Trial Day 20 (Vanessa Gartner)
- 22. 4-Oct-2023 FILED: Reporter's Transcripts - 05/16/2023 - Trial Day 26 (Vanessa Gartner)
- 23. 4-Oct-2023 FILED: Reporter's Transcript - 04/03/2023 - Jury Trial Day 3 (Robin Lawlor)
- 24. 4-Oct-2023 FILED: Reporter's Transcript - 04/10/2023 - Jury Trial Day 7 (Robin Lawlor)
- 25. 4-Oct-2023 FILED: Reporter's Transcript - 04/11/2023 - Jury Trial Day 8 (Robin Lawlor)
- 26. 4-Oct-2023 FILED: Reporter's Transcript - 04/25/2023 - Jury Trial Day 15 (Robin Lawlor)
- 27. 4-Oct-2023 FILED: Reporter's Transcript - 04/26/2023 - Jury Trial Day 16 (Robin Lawlor)

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28. 4-Oct-2023 FILED: Reporter's Transcript - 04/27/2023 - Jury Trial Day 17 (Robin Lawlor)
29. 4-Oct-2023 FILED: Reporter's Transcript - 05/02/2023 - Jury Trial Day 19 (Robin Lawlor)
30. 5-Oct-2023 FILED: Untitled Motion (Time to File Transcripts) (Lori Reinhardt)
31. 5-Oct-2023 ORDERED: Untitled Motion (Time to File Transcripts) (Lori Reinhardt) = GRANTED. Due date EXTENDED from 10/10/2023 to 11/09/2023 for transcript dated 03/23/2023 or OSC set on 11/15/2023. Hon Randall M Howe - Author
32. 6-Oct-2023 FILED: First Request for Extension of Time to File Transcripts (Scott Kindle)
33. 6-Oct-2023 ORDERED: First Request for Extension of Time to File Transcripts (Scott Kindle) = GRANTED. Due Dates EXTENDED from 10/10/2023 to 11/09/2023 for Transcripts dated 04/05/2023, 04/06/2023, 04/12/2023, 04/04/2023, 04/13/2023, 04/17/2023, 04/18/2023, 04/19/2023, 04/24/2023 or OSC set on 11/15/2023. Hon Randall M Howe - Author
34. 9-Oct-2023 FILED: Reporter's Transcript - 03/22/2023 - Jury Trial (Lauren Kuhnhenh)
35. 9-Oct-2023 FILED: Reporter's Transcripts - 05/15/2023 - Trial Day 25 - (Kristine Mayo)
36. 9-Oct-2023 FILED: Reporter's Transcripts - 07/21/2023 - Sentencing - (Kristine Mayo)
37. 10-Oct-2023 FILED: Reporter's Transcripts - 05/08/2023 - Trial Day 21 - (Kristine Mayo)
38. 16-Oct-2023 ORDERED: Court Reporter Coordinator Ken Crenshaw transcript(s) dated 11/01/2019 due by 11/15/2023 or OSC set on 12/06/2023. Hon Randall M Howe - Author
39. 16-Oct-2023 FILED: Appellant's Motion to Expand the Record for Appeal and Request for Copies of Transcripts (Appellant Pro Per)
40. 16-Oct-2023 FILED: Appellant's Motion to Proceed Pro Se and Request for Appellate Advisory Counsel (Appellant Pro Per)
41. 18-Oct-2023 FILED: Reporter's Transcript - 04/04/2023 - Trial Day 4 (Scott Kindle)
42. 18-Oct-2023 FILED: Reporter's Transcript - 04/05/2023 - Trial Day 5 (Scott Kindle)
43. 18-Oct-2023 FILED: Reporter's Transcript - 04/06/2023 - Trial Day 6 (Scott Kindle)
44. 24-Oct-2023 ORDERED: Appellant's Motion to Proceed Pro Se and Request for Appellate Advisory Counsel (Appellant Pro Per) = GRANTED allowing the appellant to represent himself in this appeal. FURTHER ORDERED: The Maricopa County Public Defender shall remain in this matter as appellant's advisory counsel. Benjamin A Armstrong ProTem Judge - Author
45. 25-Oct-2023 ORDERED: Appellant's Motion to Expand the Record for Appeal and Request for Copies of Transcripts (Appellant Pro Per) = GRANTED and supplementing the record with transcripts dated 03/13/2017, 03/29/2018, 04/17/2018, 07/17/2018, 04/05/2019, 04/16/2019, 05/24/2019, 11/17/2021, 01/25/2022, 04/15/2022, 02/24/2023, and 03/23/2023. FURTHER ORDERED: Court reporters Michael Babicky, Lori Thielmann, Lisa Bradley, Andres Anaya, Kit Walker, and Lori Reinhardt to prepare, Ken Crenshaw transcripts due by 11/27/2023. Benjamin A Armstrong ProTem Judge - Author
46. 27-Oct-2023 FILED: Reporter's Transcript - 04/12/2023 - Trial Day 9 (Scott Kindle)
47. 27-Oct-2023 FILED: Reporter's Transcript - 04/13/2023 - Trial Day 10 (Scott Kindle)
48. 27-Oct-2023 FILED: Reporter's Transcript - 04/17/2023 - Trial Day 11 (Scott Kindle)
49. 3-Nov-2023 FILED: Reporter's Transcript - 04/18/2023 - Trial Day 12 (Scott Kindle)
50. 3-Nov-2023 FILED: Reporter's Transcript - 04/19/2023 - Trial Day 13 (Scott Kindle)
51. 3-Nov-2023 FILED: Reporter's Transcript - 04/24/2023 - Trial Day 14 (Scott Kindle)
52. 9-Nov-2023 FILED: Reporter's Transcript - 02/24/2023 - Motion (Kit Walker)
53. 9-Nov-2023 FILED: Reporter's Transcript - 03/21/2023 - Under Advisement Ruling (Kit Walker)
54. 16-Nov-2023 FILED: Reporter's Transcript - 04/17/2018 - Oral Argument - (Lori Thielmann)
55. 20-Nov-2023 FILED: Appellant's Request for a Copy of the Docket History (Appellant Pro Per)
56. 22-Nov-2023 FILED: Reporter's Transcript - 03/23/2023 - Trial Day 2 - (Lori Reinhardt)
57. 28-Nov-2023 FILED: Reporter's Transcript - 01/25/2022 - Evidentiary Hearing (Andres Anaya)
58. 29-Nov-2023 FILED: Letter, 11/29/23, from Court to Appellant, enclosing copy of docket

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59. 30-Nov-2023 FILED: Appellant's Motion for a Stay of Notice Under Rule 31.9 (e), and Request for a Page Extension (Appellant Pro Per)
60. 1-Dec-2023 FILED: Reporter's Transcripts - 03/29/2018 - Reporter's Transcript of Proceedings - (Michael Babicky)
61. 5-Dec-2023 FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw)
62. 5-Dec-2023 ORDERED: Ken Crenshaw transcript(s) dated 03/13/2017, 07/17/2018, 04/05/2019, 04/16/2019, 05/24/2019, due by 01/04/2023 or OSC set on 01/17/2024. Hon Randall M Howe - Author
63. 6-Dec-2023 ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due date EXTENDED from 11-15-2023 to 01-04-2024 for transcript dated 11/01/2019 or OSC set on 01/17/2024. FURTHER ORDERED: Vacating the OSC set on 12/06/2023. Hon Randall M Howe - Author
64. 6-Dec-2023 ORDERED: Appellant's Motion for a Stay of Notice Under Rule 31.9 (e), and Request For a Page Extension (Appellant Pro Per) = DENIED. Benjamin A Armstrong ProTem Judge - Author
65. 19-Dec-2023 FILED: Reporter's Transcript - 03/13/2017 - Status Conference (Alison Wilson)
66. 19-Dec-2023 FILED: Reporter's Transcript - 07/17/2018 - Criminal Competency Hearing Continuance (Alison Wilson)
67. 19-Dec-2023 FILED: Reporter's Transcript - 04/05/2019 - Rule 11 Evidentiary Hearing - Continued (Alexander Reaves)
68. 19-Dec-2023 FILED: Reporter's Transcript - 04/16/2019 - Pretrial Conference (Eva Wynn)
69. 19-Dec-2023 FILED: Reporter's Transcript - 05/24/2019 - Rule 11 Evidentiary Hearing (Alexis Beaulieu)
70. 20-Dec-2023 FILED: Appellant's Motion for Copies of Transcripts (Appellant Pro Per)
71. 27-Dec-2023 ORDERED: Directing appellant to contact appellant's advisory counsel for assistance with obtaining copies of the transcripts. FURTHER ORDERED: Directing appellant's advisory counsel to assist appellant with obtaining copies of the transcripts. FURTHER ORDERED: Advising the court reporters that appellant is representing himself in this appeal with the assistance of advisory counsel. Benjamin A Armstrong ProTem Judge - Author
72. 29-Dec-2023 FILED: Reporter's Transcript - 11/01/2019 - Rule 11 Evidentiary Hearing (Alexis Beaulieu)
73. 29-Dec-2023 FILED: Notice of Completion of Record
74. 7-Feb-2024 FILED: Appellant's Motion for Extension of Time to File Opening Brief (Appellant Pro Per)
75. 8-Feb-2024 ORDERED: Appellant's Motion for Extension of Time to File Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 02-12-2024 to Wednesday, 03-13-2024. FURTHER ORDERED: Denying all other relief sought in the motion. Benjamin A Armstrong ProTem Judge - Author
76. 4-Mar-2024 FILED: Appellant's Motion asking the Court to Order the Clerk of this Court to Mail Copies of all Filed Rulings and Notices Directly to the Pro Se Appellant (Appellant Pro Per)
77. 4-Mar-2024 FILED: Pro Se Appellant's Request for a Copy of a Sealed Document (Appellant Pro Per)
78. 11-Mar-2024 ORDERED: Appellant's Motion asking the Court to Order the Clerk of this Court to Mail Copies of all Filed Rulings and Notices Directly to the Pro Se Appellant (Appellant Pro Per) = GRANTED and directing the clerk of this court to serve appellant personally with copies of all documents this court generates in the future, and to continue to serve copies on advisory counsel. On the court's own motion, FURTHER ORDERED: the opening brief is due by 04/10/2024. Benjamin A Armstrong ProTem Judge - Author
79. 25-Mar-2024 FILED: Pro Se Appellant's Request for a Ruling on His Request for a Copy of a Sealed Document (Appellant Pro Per)
80. 2-Apr-2024 ORDERED: Pro Se Appellant's Request for a Ruling on His Request for a Copy of a Sealed Document (Appellant Pro Per) = GRANTED. Upon presentation of this order, unsealing the Ex Parte Motion to Determine Counsel, for parties/agents for this appeal only. FURTHER ORDERED: Directing appellant to contact his advisory counsel regarding obtaining a copy of the Ex Parte Motion to Determine Counsel. Benjamin A Armstrong ProTem Judge - Author
81. 17-Apr-2024 ORDERED: Opening brief must be filed by 05/17/2024. FURTHER ORDERED: If the brief is not filed by 05/17/2024, the court will dismiss this appeal. Benjamin A Armstrong ProTem Judge - Author
82. 19-Apr-2024 FILED: Pro Se Appellant's Motion for an Additional Extension of Time to File Opening Brief Due to Arizona Department of Corrections Rehabilitation and Reentry's Withholding of Appellant's Trial Transcripts (Appellant Pro Per)

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83. 22-Apr-2024 ORDERED: Pro Se Appellant's Motion for an Additional Extension of Time to File Opening Brief Due to Arizona Department of Corrections Rehabilitation and Reentry's Withholding of Appellant's Trial Transcripts (Appellant Pro Per) = TAKING NO ACTION. Benjamin A Armstrong ProTem Judge - Author
84. 16-May-2024 FILED: Pro Se Appellant's Request for an Additional Extension of Time to File His Opening Brief (Appellant Pro Per)
85. 17-May-2024 ORDERED: Pro Se Appellant's Request for an Additional Extension of Time to File His Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Friday, 05-17-2024 to Monday, 06-17-2024. Benjamin A Armstrong ProTem Judge - Author
86. 17-Jun-2024 FILED: Pro Se Appellant's Request for an Extension of Time to File his Opening Brief Due to Newly Discovered Evidence (Appellant Pro Per)
87. 19-Jun-2024 ORDERED: Pro Se Appellant's Request for an Extension of Time to File his Opening Brief Due to Newly Discovered Evidence (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 06-17-2024 to Wednesday, 07-17-2024. Benjamin A Armstrong ProTem Judge - Author
88. 24-Jul-2024 ORDERED: Appellant must file the opening brief by 08/07/2024. FURTHER ORDERED: If appellant does not timely file the opening brief, the court will dismiss this appeal. Benjamin A Armstrong ProTem Judge - Author
89. 5-Aug-2024 FILED: Pro Se Appellant's Motion for an Additional Extension of Time to File His Opening Brief (Appellant Pro Per)
90. 6-Aug-2024 ORDERED: Pro Se Appellant's Motion for an Additional Extension of Time to File His Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Wednesday, 08-07-2024 to Friday, 09-06-2024 Benjamin A Armstrong ProTem Judge - Author
91. 13-Sep-2024 ORDERED: That the opening brief must be filed by 09/30/2024. FURTHER ORDERED: That if the brief is not filed by 09/30/2024, the court will dismiss this appeal. Benjamin A Armstrong ProTem Judge - Author