

Court of Appeals, Division One

Criminal

1 CA-CR 23-0351

STATE v. BURKE

Appellate Case Information

Case Filed: 22-Aug-2023

Case Closed:

Dept/Composition

Department A

Hon. Angela K Paton
Hon. Michael S Catlett
Hon. Andrew M Jacobs

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Bradley F Perry, Esq. (AZ Bar No. 25682)

Side 2. NATALIE SIMONE BURKE, Appellant

(Litigant Group) NATALIE SIMONE BURKE

- Natalie Simone Burke

Attorneys for: Appellant

Kaitlin DiMaggio, Esq. (AZ Bar No. 36178)

CASE STATUS

Jun 25, 2024....**Decision Rendered**

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2003-015998-002			David W Garbarino, Authoring Judge of Order		

DESCENDENT CASE (S)

ASC CR-24-0179-PR

OPEN DUE DATE

Petition for Review to ASC due

Due By:

Monday, August 26, 2024

Re: *OPINION (Affirmed) Hon Angela K Paton - Author; Hon Michael S Catlett - Concur; Hon Andrew M Jacobs - Concur*

CASE DECISION

25-Jun-2024 **OPINION**

Angela Paton.....Author

Michael Catlett.....Concur

Andrew Jacobs.....Concur

Filed: 25-Jun-2024

Mandate:

Decision Disposition

Affirmed

20 PROCEEDING ENTRIES

- 22-Aug-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 07/25/23. Notification to Court Reporters dated 08/21/2023.
- 24-Aug-2023 ORDERED: Directing Appellant to make arrangements with the court reporter(s) by 09/25/2023, to pay for the preparation of the transcripts. FURTHER ORDERED: Directing Appellant to file a notice in this court by 10/03/2023, as to the arrangements made. If Appellant fails to file a notice, the court will dismiss this appeal. FURTHER ORDERED: Appellant may file in the superior court a motion to proceed as indigent with a supporting affidavit. Counsel Kaitlin DiMaggio must assist Appellant with the request. Appellant must file a copy of the request in this court by 09/25/2023. FURTHER ORDERED: Absent satisfactory financial arrangements, no transcripts are due in this case until further order from this court. Geoffrey P Butzine ProTem Judge - Author
- 7-Sep-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None sent with e-Record
(Includes transcript(s) dated 10/20/2004, 11/15/2004, 11/16/2004, 11/17/2004, 11/18/2004, 05/27/2009)
- 27-Sep-2023 FILED: Notice of Arrangements for Preparation and Filing of the Transcript; Certificate of Service (Appellant)
- 27-Sep-2023 FILED: Reporter's Transcript - 06/07/2023 - Hearing (Cera Keeler)
- 29-Sep-2023 FILED: Notice of Completion of Record

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20 PROCEEDING ENTRIES

7. 5-Oct-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
8. 13-Nov-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
9. 6-Dec-2023 FILED: Unopposed Motion to Extend Response Deadline; Certificate of Service (Appellee)
10. 7-Dec-2023 ORDERED: Unopposed Motion to Extend Response Deadline (Appellee) = GRANTED. Due date EXTENDED from 01/02/2024 to 01/31/2024 Benjamin A Armstrong ProTem Judge - Author
11. 26-Jan-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
12. 5-Feb-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
13. 26-Mar-2024 CLNDR: CONFERENCE, Department A, 5-7-24, COURTROOM 1.
14. 6-May-2024 FILED: Memorandum: Judge Jacobs for Judge Morse Jr. (Chief Judge Gass)
15. 6-May-2024 ORDERED: Vacating the conference currently set for 05/07/2024 and resetting the conference in this matter for 05/09/2024. Hon Angela K Paton - Author
16. 25-Jun-2024 OPINION (Affirmed) Hon Angela K Paton - Author; Hon Michael S Catlett - Concur; Hon Andrew M Jacobs - Concur
17. 25-Jun-2024 FILED: Decision Distribution Notification
18. 24-Jul-2024 FILED: ASC Order filed 07/24/2024 re: the motion is denied without prejudice to Appellant's ability to file a motion in compliance with Arizona Rules of Crim. Proc. Rule 31.6(e) and ARCAP 6(b); matter subject to dismissal if a compliant motion or petition for review is not filed by 07/31/2024.
19. 25-Jul-2024 FILED: Request for Procedural Order: Unopposed Motion to Extend Time to File Petition for Review; Certificate of Filing and Service (Appellant)
20. 25-Jul-2024 FILED: ASC Order filed 07/25/2024 re: extending time for filing Petition for Review to 08/26/2024; matter subject to dismissal if the petition for review is not filed by 08/26/2024.