

Court of Appeals, Division One

Criminal

1 CA-CR 23-0384

STATE v. SERRATO

Appellate Case Information

Case Filed: 7-Sep-2023

Case Closed:

Dept/Composition

Department C

Hon. Cynthia J Bailey
Hon. Anni Hill Foster
Hon. Angela K Paton

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Michael O'Toole, Esq. (AZ Bar No. 19555)

Side 2. EDUARDO SERRATO, III, Appellant

(Litigant Group) EDUARDO SERRATO, III

- Eduardo Serrato, III

Attorneys for: Appellant

Chad Joshua Winger, Esq. (AZ Bar No. 22767)

CASE STATUS

Jul 24, 2024.....Under Advisement

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015CR201800630, See file, See file, Billy K Sipe, Sentencing, JURY

35 PROCEEDING ENTRIES

- 1. 7-Sep-2023 FILED: Notice of Appeal from Mohave County Superior Court filed 08/15/23. Notification to Court Reporters dated 08/25/2023.
2. 7-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined...
3. 12-Sep-2023 FILED: Appellate Clerk Notice (31.2(g))
4. 12-Sep-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
5. 19-Sep-2023 FILED: Reporter's Transcript - 07/13/2023 - Jury Trial Day 7 (Dawn M. Duffey)
6. 1-Oct-2023 FILED: Reporter's Transcript - 07/05/2023 - Jury Trial (Day 1) (Linda Cantrell)
7. 1-Oct-2023 FILED: Reporter's Transcript - 07/06/2023 - Jury Trial (Day 2) (Linda Cantrell)
8. 1-Oct-2023 FILED: Reporter's Transcript - 07/07/2023 - Jury Trial (Day 3) (Linda Cantrell)
9. 1-Oct-2023 FILED: Reporter's Transcript - 07/10/2023 - Jury Trial (Day 4) (Linda Cantrell)
10. 1-Oct-2023 FILED: Reporter's Transcript - 07/11/2023 - Jury Trial (Day 5) (Linda Cantrell)
11. 1-Oct-2023 FILED: Reporter's Transcript - 07/12/2023 - Jury Trial (Day 6) (Linda Cantrell)
12. 1-Oct-2023 FILED: Reporter's Transcript - 08/15/2023 - Presentencing Hearing/Judgment and Sentencing (Linda Cantrell)
13. 3-Oct-2023 FILED: Notice of Completion of Record

Court of Appeals, Division One**Criminal****1 CA-CR 23-0384****STATE v. SERRATO****35 PROCEEDING ENTRIES**

14. 19-Oct-2023 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
15. 20-Oct-2023 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 11-17-2023 to Tuesday, 01-16-2024. Benjamin A Armstrong ProTem Judge - Author
16. 9-Jan-2024 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
17. 9-Jan-2024 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 01-16-2024 to Tuesday, 02-06-2024. Benjamin A Armstrong ProTem Judge - Author
18. 6-Feb-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
[STRICKEN per order filed 06/11/2024]
19. 9-Feb-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
20. 21-Feb-2024 FILED: Motion for Procedural Order (Motion to Supplement the Record, No Objection); Certificate of Service (Appellee)
21. 26-Feb-2024 ORDERED: Motion for Procedural Order (Motion to Supplement the Record, No Objection) (Appellee) = GRANTED and court reporter Linda Cantrell transcript dated 08/03/2023 due by 03/27/2024. FURTHER ORDERED: The answering brief is due by 04/26/2024. Benjamin A Armstrong ProTem Judge - Author
22. 11-Mar-2024 FILED: Reporter's Transcript - 08/03/2023 - Motion For New Trial (Linda Cantrell)
23. 24-Apr-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
24. 2-May-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
25. 6-May-2024 FILED: Motion for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
26. 7-May-2024 ORDERED: Motion for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 05-14-2024 to Thursday, 06-13-2024. Benjamin A Armstrong ProTem Judge - Author
27. 13-May-2024 Record Receipt Noted - ENTIRE RECORD FILED - There is no additional electronic or physical record to be transmitted.
28. 28-May-2024 CLNDR: CONFERENCE, Department C, 7-24-24, CONFERENCE ROOM.
29. 10-Jun-2024 ORDERED: Directing the parties to simultaneously file supplemental briefs of no longer than 5000 words each, on or before 06/25/2024. The briefs need not include a table of contents, table of citations, etc., see Ariz. R. Crim. P. 31.10(a). Inclusion of an "argument" and "conclusion" is sufficient, see id. FURTHER ORDERED: That the parties may file response briefs of no longer than 3000 words each, on or before 07/02/2024. Hon Cynthia J Bailey - Author
30. 11-Jun-2024 ORDERED: Striking appellant's opening brief and ordering counsel to remove the prospective juror's name and file a redacted version of his opening brief in this court no later than 06/19/2024. FURTHER ORDERED: Directing the Court of Appeals Clerk of the Court to, no later than 06/19/2024, restrict from public view the Pre-Sentence Investigation Report, located at Record on Appeal 158, and the following record transcripts: 07/05/2023; 07/06/2023; 07/10/2023; 07/11/2023; and 08/15/2023. FURTHER ORDERED: directing the Mohave County Clerk of Superior Court to, no later than June 19, 2024, restrict from public view the following exhibits: D4, E1, E2, E3, E4, E5, and E6. Hon Cynthia J Bailey - Author
31. 12-Jun-2024 FILED: Appellant's Amended Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
32. 13-Jun-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
33. 25-Jun-2024 FILED: Appellee's Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellee)
34. 25-Jun-2024 FILED: Appellant's Simultaneous Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellant)
35. 27-Jun-2024 FILED: Joint Notice of Intention Not to File Responsive Briefs; Certificate of Service (Appellee)