

Court of Appeals, Division One

Criminal

1 CA-CR 23-0394

STATE v. ESTRADA

Appellate Case Information

Case Filed: 14-Sep-2023

Case Closed:

Dept/Composition

Department F

Hon. Maria Elena Cruz
Hon. Samuel A Thumma
Hon. Andrew M Jacobs

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Mariette Spence Ambri, Esq. (AZ Bar No. 20015)

Side 2. MONIQUE ESTRADA, Appellant

(Litigant Group) MONIQUE ESTRADA

- Monique Estrada

Attorneys for: Appellant

Jesse Finn Turner, Esq. (AZ Bar No. 24011)

CASE STATUS

Jul 18, 2024.....Decision Rendered

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2021-109619-001, Dangerous Drug-Poss/Use, Class 4; Drug Paraphernalia-Possess/Us, Class 6; Resist Arrest-Physical Force, Class 6, 3 years, Probation; 3 years, Probation; 3 years, Probation, Eartha K Washington, Sentencing, JURY

DESCENDENT CASE(S)

ASC CR-24-0208-PR

OPEN DUE DATE

Petition for Review to ASC due

Due By: Wednesday, September 18, 2024

[1 extension]

Re: MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Maria Elena Cruz - Concur; Hon Samuel A Thumma - Concur

CASE DECISION

18-Jul-2024 MEMORANDUM DECISION

Andrew Jacobs.....Author

Maria Cruz.....Concur

Samuel Thumma.....Concur

Filed: 18-Jul-2024

Mandate:

Decision Disposition

Affirmed

39 PROCEEDING ENTRIES

- 1. 14-Sep-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 09/01/23. Notification to Court Reporters dated 09/13/2023.
2. 14-Sep-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 15-Sep-2023 FILED: Courtesy Copy - Amended Designation of Record for Appeal Filed in Superior Court (Appellant)
4. 19-Sep-2023 ORDERED: Ken Crenshaw transcript(s) dated 12/23/2022, 06/05/2023, 06/15/2023, 07/10/2023, 08/15/2023, due by 10/30/2023. FURTHER ORDERED: Court Reporter Treva B Colwell transcript(s) dated 06/19/2023, due by 10/30/2023. FURTHER ORDERED: Court Reporter Luz E Franco transcript(s) dated 06/20/2023, 06/21/2023, due by 10/30/2023. FURTHER ORDERED: Court Reporter Kassie Kosmal transcript(s) dated 06/22/2023 due by 10/30/2023. Hon Randall M Howe - Author
5. 13-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 142 Exhibits: None sent with e-Record

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6. 13-Oct-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 06/19/2023 List # 3 4 6 8 9 14 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
7. 20-Oct-2023 FILED: Reporter's Transcripts - 06/19/2023 - Trial - Day 1 (Treva B. Colwell)
8. 26-Oct-2023 FILED: Reporter's Transcript - Trial (Cont'g) - 06/20/2023 - (Luz Franco)
9. 30-Oct-2023 FILED: Request for First Extension (Time to File Transcripts) (Kassie Kosmal)
10. 30-Oct-2023 ORDERED: Request for First Extension (Time to File Transcripts) (Kassie Kosmal) = GRANTED. Due date EXTENDED from Monday, 10-30-2023 to Wednesday, 11-29-2023 (Transcript for 06/22/2023 by Reporter Kassie Kosmal due) or OSC set on 12/06/2023. FURTHER ORDERED: The due date will not be extended again, absent a timely showing of actual and substantial good cause. While the motion was accepted, there was no reason given as to why additional time was needed. Beginning 02/01/2024, any extension requests will not be considered if the reasoning as to why the request is needed is not presented in the filing. Hon Randall M Howe - Author
11. 31-Oct-2023 FILED: Reporter's Transcript - Trial (Cont'g) - 06/21/2023 - Luz Franco
12. 1-Nov-2023 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
13. 2-Nov-2023 FILED: Reporter's Transcript - 12/23/2022 - Status Conference - Post Warrant (Kimberly C. McCright)
14. 2-Nov-2023 FILED: Reporter's Transcript - 06/05/2023 - Trial Procedure Conference (Kimberly C. McCright)
15. 2-Nov-2023 FILED: Reporter's Transcript - 06/15/2023 - Evidentiary Hearing (Kimberly C. McCright)
16. 2-Nov-2023 FILED: Reporter's Transcript - 07/10/2023 - Status Conference (Kimberly C. McCright)
17. 2-Nov-2023 FILED: Reporter's Transcript - 08/15/2023 - Sentencing (Kimberly C. McCright)
18. 3-Nov-2023 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 2 and 25) and the Random Jury List (I.O.R. 120), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
19. 29-Nov-2023 FILED: Reporter's Transcript - 06/22/2023 - Trial Procedure Conference (Kassie Kosmal)
20. 30-Nov-2023 FILED: Notice of Completion of Record
21. 1-Dec-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)
22. 11-Jan-2024 FILED: Motion for Extension of Time to File Appellant's Opening Brief; Certificate of Service (Appellant)
23. 11-Jan-2024 ORDERED: Motion for Extension of Time to File Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from 01-16-2024 to 02-15-2024 Benjamin A Armstrong ProTem Judge - Author
24. 15-Feb-2024 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance with Rule 341.12, ARCP; Certificate of Service (Appellant)
25. 27-Feb-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
26. 13-Mar-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
27. 14-Mar-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 03-26-2024 to Thursday, 04-25-2024 Benjamin A Armstrong ProTem Judge - Author
28. 19-Apr-2024 FILED: Motion for Procedural Order (Expand the Record); Certificate of Service (Appellee)
29. 25-Apr-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
30. 26-Apr-2024 ORDERED: Motion for Procedural Order (Expand the Record) (Appellee) = GRANTED and supplementing the record on appeal by including the thumb drive designated above (containing body worn camera footage). FURTHER ORDERED: Directing the Clerk of Maricopa County Superior Court to forward to this court by 05/10/2024, the thumb drive designated above, marked for filing in this appeal. Benjamin A Armstrong ProTem Judge - Author
31. 1-May-2024 FILED: Letter from Maricopa Superior Court to COA1 re: Unable to find thumbdrive
32. 2-May-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days

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- 33. 3-May-2024 ORDERED: Vacating the 05/10/2024, deadline for the superior court to supplement the record with the thumb drive. FURTHER ORDERED: Directing the clerk of this court to send appellant and appellee a copy of the correspondence received from the clerk of the superior court on 05/01/2024. Benjamin A Armstrong ProTem Judge - Author
- 34. 13-May-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
- 35. 15-May-2024 FILED: Appellant's Reply Brief; Appellant's Certificate of Compliance With Rule 31.12, ARCP; Certificate of Service (Appellant)
- 36. 28-May-2024 CLNDR: CONFERENCE, Department F, 7-3-24, CONFERENCE ROOM.
- 37. 18-Jul-2024 MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Maria Elena Cruz - Concur; Hon Samuel A Thumma - Concur
- 38. 18-Jul-2024 FILED: Decision Distribution Notification
- 39. 14-Aug-2024 FILED: ASC Order filed 08/14/2024 re: extending time for filing Petition for Review to 09/18/2024