

Court of Appeals, Division One

Criminal

1 CA-CR 23-0422

STATE v. NASH

Appellate Case Information

Case Filed: 28-Sep-2023

Case Closed:

Dept/Composition

Department D

Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

Consolidated with: 1 CA-CR 23-0188

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Deborah Celeste Kinney, Esq. (AZ Bar No. 30741)

Side 2. TROY MICHAEL NASH, Appellant

(Litigant Group) TROY MICHAEL NASH

- Troy Michael Nash

Attorneys for: Appellant

Jennifer Roach, Esq. (AZ Bar No. 24525)

CASE STATUS

Aug 20, 2024....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2022-001520-001, Denied Motion for New Trial, David W Garbarino, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration due Due By: Wednesday, September 4, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur

Petition for Review to ASC due Due By: Thursday, September 19, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur

CASE DECISION

20-Aug-2024 MEMORANDUM DECISION

Michael Brown.....Author
Samuel Thumma.....Concur
Jennifer Campbell.....Concur

Filed: 20-Aug-2024 Mandate:

Table with 1 column: Decision Disposition. Row 1: Affirmed

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-CR 23-0188 STATE v. NASH

24 PROCEEDING ENTRIES

- 1. 28-Sep-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 09/22/23. Notification to Court Reporters dated 09/27/2023.
2. 28-Sep-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 9-Oct-2023 FILED: Motion to Consolidate Appeals; Certificate of Service (Appellant)
4. 16-Oct-2023 ORDERED: Motion to Consolidate Appeals (Appellant) = GRANTED and consolidating cases 1 CA-CR 23-0188 and 1 CA-CR 23-422. Case No. 1 CA-CR 23-0188 is designated the primary number, and the above caption shall be used on all future documents filed in this appeal. FURTHER ORDERED: Lifting the stay in 1CA-CR 23-0188. FURTHER ORDERED: Vacating the notice of completion issued on 08/082023, in 1 CA-CR 23-0188, as well as the 12/08/2023, due date for the opening brief in 1 CA-CR 23-0188. FURTHER ORDERED: Directing the clerk of this court to reissue a notice of completion for the consolidated appeals when the record in 1 CA-CR 23-0422 is complete. Benjamin A Armstrong ProTem Judge - Author
5. 18-Oct-2023 FILED: Courtesy Copy - Designation of Record for Appeal from the Denial of the Motion for New Trial Filed in Superior Court (Appellant)

Court of Appeals, Division One**Criminal****1 CA-CR 23-0422****STATE v. NASH****24 PROCEEDING ENTRIES**

6. 3-Nov-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: Transmitted under 1 CA-CR 23-0188
7. 3-Nov-2023 FILED: Notice of Completion of Record
8. 5-Dec-2023 FILED: Motion for Procedural Order: Unopposed Request to Extend Time to File the Opening Brief; Certificate of Service (Appellant)
9. 6-Dec-2023 ORDERED: Motion for Procedural Order: Unopposed Request to Extend Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from 12-18-2023 to 01-17-2024 Benjamin A Armstrong ProTem Judge - Author
10. 17-Jan-2024 FILED: Appellant's Opening Brief; Certificate of Compliance with Ariz. R. Crim. P. 31.12; Certificate of Service (Appellant)
11. 23-Jan-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
12. 20-Feb-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
13. 20-Feb-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 02-26-2024 to Wednesday, 03-27-2024. Geoffrey P Butzine ProTem Judge - Author
14. 27-Mar-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
15. 27-Mar-2024 FILED: Unopposed Motion for Procedural Order (Exceed Word Limit for Answering Brief); Certificate of Service (Appellee)
16. 1-Apr-2024 ORDERED: Unopposed Motion for Procedural Order (Exceed Word Limit for Answering Brief) (Appellee) = GRANTED and accepting the answering brief filed on 03/27/2024. FURTHER ORDERED: A reply brief may be filed no later than 04/22/2024. Hon David B Gass - Author
17. 2-Apr-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
18. 12-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 15-Apr-2024 FILED: Motion for Procedural Order: Unopposed Request To Extend Time To File the Reply Brief; Certificate of Service (Appellant)
20. 16-Apr-2024 ORDERED: Motion for Procedural Order: Unopposed Request To Extend Time To File the Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-22-2024 to Monday, 05-13-2024. Benjamin A Armstrong ProTem Judge - Author
21. 26-Apr-2024 CLNDR: CONFERENCE, Department D, 6-5-24, COURTROOM 2.
22. 13-May-2024 FILED: Appellant's Reply Brief; Certificate of Compliance With Ariz. R. Crim. P. 31.12; Certificate of Service (Appellant)
23. 20-Aug-2024 MEMORANDUM DECISION (Affirmed) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur
24. 20-Aug-2024 FILED: Decision Distribution Notification