

Court of Appeals, Division One

Criminal

1 CA-CR 23-0447

STATE v. CRUZ

Appellate Case Information

Case Filed: 12-Oct-2023

Case Closed:

Dept/Composition

Department D

Hon. Michael S Catlett
Hon. Jennifer M Perkins
Hon. Randall M Howe

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Eliza Ybarra, Esq. (AZ Bar No. 22395)

Side 2. ELIAS OSORIO CRUZ, Appellant

(Litigant Group) ELIAS OSORIO CRUZ

- Elias Osorio Cruz

Attorneys for: Appellant

Sheri M Lauritano, Esq. (AZ Bar No. 16087)

CASE STATUS

Aug 26, 2024...Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2021-102465-001	See File	See File	Michael W Kemp, Sentencing	JURY	

CALENDAR

Monday MONTHLY COURT CASE CALENDAR
28-Oct-2024 Department D; CONFERENCE ROOM

Mixed

40 PROCEEDING ENTRIES

- 12-Oct-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 10/02/23. Notification to Court Reporters dated 10/11/2023.
- 13-Oct-2023 FILED: Appellate Clerk Notice (31.2(g))
- 16-Oct-2023 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Directing court reporters Lisa Bradley, Kristine Rogalewski-Mayo, Nicole Tatlow, and Lori Reinhardt to prepare an original and two copies of all transcripts Arizona Rule of Criminal Procedure 31.8 requires and furnish one copy to appellant's counsel, one copy to appellee's counsel, and the original to the clerk of this court by 11/30/2023, marked for filing in this appeal. Benjamin A Armstrong ProTem Judge - Author
- 27-Oct-2023 FILED: Courtesy Copy of Designation of Record for Appeal (Appellant)
- 30-Oct-2023 ORDERED: Ken Crenshaw transcript(s) dated 02/05/2021, 08/25/2022, 06/22/2023, 07/31/2023, due by 12/14/2023. FURTHER ORDERED: Court Reporter Lori D Reinhardt transcript(s) dated 08/02/2023, due by 12/14/2023. FURTHER ORDERED: Reaffirming this previously set due date of 11/30/2023 for transcripts dated 08/09/2023 for Court Reporter Lori D Reinhardt. FURTHER ORDERED: Court Reporter Vanessa Gartner transcript(s) dated 11/29/2021, 01/10/2022, due by 12/14/2023. Hon Randall M Howe - Author
- 12-Nov-2023 FILED: Reporter's Transcript - 08/07/2023 - Reporter's Transcript of Proceedings (Lisa Bradley)
- 12-Nov-2023 FILED: Reporter's Transcript - 08/14/2023 - Reporter's Transcript of Proceedings (Lisa Bradley)
- 13-Nov-2023 FILED: Reporter's Transcript - 09/28/2023 - Reporter's Transcript of Proceedings (Lisa Bradley)
- 15-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 141 Exhibits: None sent with e-Record
- 15-Nov-2023 FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 08/02/2023 List # 5 9 59 60 61 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope
- 22-Nov-2023 FILED: Reporter's Transcripts - 8/16/2023 - Trial Day 6 - (Kristine Mayo)

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12. 28-Nov-2023 FILED: Reporter's Transcript - 08/10/2023 - Trial Day 4 - (Nicole Tatlow)
13. 30-Nov-2023 FILED: Reporter's Transcripts - 11/29/2021 - Status Conference (Vanessa Gartner)
14. 30-Nov-2023 FILED: Reporter's Transcripts - 01/10/2022 - Trial Continuance Past Last Day (Vanessa Gartner)
15. 1-Dec-2023 FILED: Reporter's transcript - 08/09/2023 - Trial Day 3 - (Lori Reinhardt)
16. 1-Dec-2023 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
17. 5-Dec-2023 FILED: Reporter's transcript - 08/02/2023 - Trial Day 1 - (Lori Reinhardt)
18. 8-Dec-2023 ORDERED: Upon presentation of this order, unsealing the Rule 2.3 Victim Identifier Information Form (I.O.R. 8); the Moon Valley JP Release Questionnaire (I.O.R. 9); the Court Information Sheet (I.O.R. 19); and the Random Jury List (I.O.R. 129), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
19. 14-Dec-2023 FILED: Reporter's Transcript - 02/05/2021 - Arraignment (Janice M. Grill)
20. 14-Dec-2023 FILED: Reporter's Transcript - 08/25/2022 - Settlement Conference (Janice M. Grill)
21. 14-Dec-2023 FILED: Reporter's Transcript - 06/22/2023 - Settlement Conference (Janice M. Grill)
22. 14-Dec-2023 FILED: Reporter's Transcript - 07/31/2023 - Trial Procedure Conference (Janice M. Grill)
23. 15-Dec-2023 FILED: Notice of Completion of Record
24. 20-Dec-2023 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
25. 27-Dec-2023 ORDERED: Motion To Withdraw And Substitute New Counsel; Motion to Extend Opening Brief Due Date (Appellant) = GRANTED and appointing attorney Sheri Lauritano as attorney for appellant in this appeal. FURTHER ORDERED: That the Maricopa County Public Defender must immediately forward all files, records, transcripts, and other documents that relate to this appeal to newly appointed counsel. FURTHER ORDERED: The opening brief is due by 03/14/2024. Benjamin A Armstrong ProTem Judge - Author
26. 9-Feb-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
27. 14-Mar-2024 FILED: Appellant's Request to Extend Time (Opening Brief); Request to Extend Time Certificate of Service (Appellant)
28. 14-Mar-2024 ORDERED: Appellant's Request to Extend Time (Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Thursday, 03-14-2024 to Monday, 04-15-2024 Benjamin A Armstrong ProTem Judge - Author
29. 27-Mar-2024 FILED: Appellant's Opening Brief; Appellant's Opening Brief Certificate of Compliance; Appellant's Opening Brief Affidavit of Service (Appellant)
30. 13-May-2024 ORDERED: Answering brief must be filed by 05/23/2024. FURTHER ORDERED: If the brief is not filed timely, the court will deem the appeal submitted for decision based on the opening brief and the record. Benjamin A Armstrong ProTem Judge - Author
31. 14-May-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
32. 14-May-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
33. 15-May-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Thursday, 05-23-2024 to Wednesday, 07-03-2024. Benjamin A Armstrong ProTem Judge - Author
[VACATED per order filed 05/15/2024]
34. 15-May-2024 ORDERED: Vacating the order filed 05/15/2024, that extended the time to file the answering brief. FURTHER ORDERED: Granting the motion and extending the time to file the answering brief from 05/23/2024, to 06/24/2024. Geoffrey P Butzine ProTem Judge - Author
35. 17-Jun-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
36. 18-Jun-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 06/24/2024 to Wednesday, 07/24/2024 or OSC set on 08/07/2024. Melina Brill ProTem Judge - Author
37. 22-Jul-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
38. 9-Aug-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days

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- 39. 19-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
- 40. 26-Aug-2024 CLNDR: CONFERENCE, Department D, 10-28-24, CONFERENCE ROOM.