

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 23-0473

STATE v. MCDANIEL

Appellate Case Information

Case Filed: 27-Oct-2023
Case Closed: 26-Aug-2024

Decision

Dept/Composition

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

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

Side 2. DENNIS JAY MCDANIEL, Appellant

(Litigant Group) DENNIS JAY MCDANIEL

- Dennis Jay McDaniel

Attorneys for: Appellant

Janelle A McEachern, Esq. (AZ Bar No. 16652)

Side 3. A. M., Crime Victim

(Litigant Group) A.M.

- A. M.

Attorneys for: Crime Victim

Colleen Clase, Esq. (AZ Bar No. 29360)

CASE STATUS

Aug 26, 2024...Case Closed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015CR202200624, Sexual Conduct with a Minor by Domestic Violence, Class 2, 20 years, ADOC, Billy K Sipe, Sentencing, JURY.

CASE DECISION

18-Jul-2024 MEMORANDUM DECISION

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

Filed: 18-Jul-2024 Mandate: 26-Aug-2024

Decision Disposition

Affirmed

21 PROCEEDING ENTRIES

- 1. 27-Oct-2023 FILED: Notice of Appeal from Mohave County Superior Court filed 10/13/23. Notification to Court Reporters dated 10/16/2023.
2. 27-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Digital Exhibits: Hearing Date: 09/01/2023 List # A1 Hearing Date: 09/05/2023 List # B1 B2 B3 B4 B5 B6 B7 B8 B9 B10 B11 Hearing Date: 07/27/2023 List # D1 D2 Hearing Date: 08/04/2023 List # D3 E8 E9 E10 E11 Hearing Date: 08/03/2023 List # E1 E2 E3 E4 E5 E6 E7
3. 31-Oct-2023 FILED: Appellate Clerk Notice (31.2(g))
4. 22-Nov-2023 FILED: Notice of Appearance; Certificate of Mailing (Appellant)
5. 24-Nov-2023 FILED: Reporter's Transcript - 09/06/2023 - Jury Trial (Day 1) (Linda Cantrell)
6. 24-Nov-2023 FILED: Reporter's Transcript - 09/07/2023 - Jury Trial (Day 2)/Status Conference (Linda Cantrell)
7. 24-Nov-2023 FILED: Reporter's Transcript - 09/08/2023 - Jury Trial (Day 3) (Linda Cantrell)
8. 24-Nov-2023 FILED: Reporter's Transcript -10/06/2023 - Judgment and Sentencing/Status Conference (Linda Cantrell)
9. 27-Nov-2023 FILED: Notice of Completion of Record

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21 PROCEEDING ENTRIES

10. 11-Jan-2024 FILED: Motion for Extension of Time to File Opening Brief; certificate of Mailing (Appellant)
11. 11-Jan-2024 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 01-11-2024 to Monday, 02-12-2024. Benjamin A Armstrong ProTem Judge - Author
12. 12-Feb-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Mailing; Motion for Leave of Appellant to File Supplemental Opening Brief in Propria Persona (Appellant)
13. 14-Feb-2024 ORDERED: If appellant wishes to file a pro se supplemental opening brief raising additional issues on appeal, appellant must do so by 03/25/2024. If appellant chooses to file a supplemental opening brief, appellant must file an original and one copy with the Clerk of this Court, provide two copies to appellee and provide one copy to appellant's counsel. FURTHER ORDERED: Directing appellant's counsel to furnish appellant a paper copy of the opening brief, together with a paper copy of all records on appeal, including all transcripts in counsel's possession. Counsel shall provide the Clerk of this Court and appellee a copy of counsel's transmittal letter, specifying the documents forwarded to appellant. FURTHER ORDERED: The filing of an answering brief shall await further order of the Court. Benjamin A Armstrong ProTem Judge - Author
14. 15-Feb-2024 FILED: Letter, dated 02/14/2024, to Appellant from Counsel re: Forwarding records on appeal (Appellant)
15. 13-Mar-2024 FILED: Crime Victim's Notice of Appearance Under A.R.S. § 13-4437(A); Certificate of Service - Crime Victim's Notice of Appearance Under A.R.S. § 13-4437(A)
16. 1-Apr-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
17. 10-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
18. 21-Jun-2024 FILED: Assigning Anders appeal to Dept D for consideration and disposition. [Amy M. Wood, Clerk]
19. 18-Jul-2024 MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Jennifer B Campbell - Concur; Hon Michael J Brown - Concur (Motion for reconsideration extended thirty days from date of this decision.)
20. 18-Jul-2024 FILED: Decision Distribution Notification
21. 26-Aug-2024 FILED: Mandate, No physical record to be returned to clerk, Mohave County Superior Court.