

Court of Appeals, Division One

Criminal

1 CA-CR 23-0500

STATE v. TRUONG

Appellate Case Information

Case Filed: 14-Nov-2023

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Karen Moody, Esq. (AZ Bar No. 31112)

Side 2. NGON TRUNG TRUONG, Appellant

(Litigant Group) NGON TRUNG TRUONG

- Ngon Trung Truong

Attorneys for: Appellant

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

CASE STATUS

Aug 28, 2024...At Issue

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2021-123627-001, Murder 2nd Deg-Intentional, 17.5 years, ADOC, David J Palmer, Sentencing, JURY, <>

OPEN DUE DATE

Reply Brief Due

Due By:

Monday, October 7, 2024

Re: FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)

[1 extension]

67 PROCEEDING ENTRIES

- 1. 14-Nov-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 10/25/23. Notification to Court Reporters dated 11/13/2023.
2. 15-Nov-2023 FILED: Appellate Clerk Notice (31.2(g))
3. 15-Nov-2023 FILED: Request for Extension of Time (Time to File Transcripts) (Tara Kramer); Letter, dated 11/09/2023, from Maricopa County Superior Court Clerk's Office re Late Notice to Court Reporters
4. 15-Nov-2023 ORDERED: Request for Extension of Time (Time to File Transcripts) (Tara Kramer); Letter, dated 11/09/2023, from Maricopa County Superior Court Clerk's Office re Late Notice to Court Reporters = GRANTED. Due Dates EXTENDED to 01/10/2024 for Transcripts dated 07/13/2023, 07/12/2023, 07/11/2023, 07/10/2023 or OSC set on 01/17/2024. 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
5. 16-Nov-2023 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)
6. 17-Nov-2023 ORDERED: Court Reporter Coordinator Ken Crenshaw transcript(s) dated 05/06/2022, 04/03/2023, 04/21/2023, 05/12/2023, 05/17/2023, 05/23/2023, 06/27/2023 due by 01/02/2024. FURTHER ORDERED: Court Reporter Tara Kramer transcript(s) dated July 26, 2023 due by 01/02/2024. FURTHER ORDERED: Reaffirming this previously set due date of 01/10/2024 for transcripts dated 07/10/2023, 07/11/2023, 07/12/2023, 07/13/2023 for Court Reporter Tara Kramer. FURTHER ORDERED: Court Reporter Lori Reinhardt transcript(s) dated 07/05/2023 due by 01/02/2024. FURTHER ORDERED: Court Reporter Luz Franco transcript(s) dated 08/25/2022 due by 01/02/2024. FURTHER ORDERED: Court Reporter Hope Yeager transcript(s) dated 08/05/2022 due by 01/02/2024. FURTHER ORDERED: Court Reporter Jessica Wasdyke transcript(s) dated 06/01/2022 due by 01/02/2024. FURTHER ORDERED: Court Reporter Catherine Turner transcript(s) dated 12/09/2021, and 01/25/2022 due by 01/02/2024. FURTHER ORDERED: Court Reporter Wendy Ricard transcript(s) dated 11/04/2021 due by 01/02/2024. FURTHER ORDERED: Court Reporter Wanda Bauer transcript(s) dated 09/22/2021 due by 01/02/2024. FURTHER ORDERED: Court Reporter Treva Colwell transcript(s) dated 10/20/2023 due by 01/02/2024. FURTHER ORDERED: Reaffirming this previously set due date of 12/11/2023 for transcripts dated 11/08/2023 for Court Reporter Treva Colwell. Hon Randall M Howe - Author
[Portion vacated per order filed 03/26/2024]
7. 21-Nov-2023 FILED: Reporter's Transcript - 11/04/2021 - Complex Case Management Conference (Wendy Ricard)
8. 28-Nov-2023 FILED: Reporter's Transcript - 12/09/2021 - Complex Case Management Conference - (Catherine Turner)
9. 28-Nov-2023 FILED: Reporter's Transcript - 01/25/2022 - Complex Case Management Conference - (Catherine Turner)

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10. 5-Dec-2023 ORDERED: Vacating that portion of the court's order dated 11/17/2023, directing Court Reporter Treva B Colwell to file the transcript dated 11/08/2023. Hon Randall M Howe - Author
11. 5-Dec-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 10/25/23. Amended Notification to Court Reporters dated 12/04/2023.
12. 7-Dec-2023 FILED: Record on Appeal:
Combined Instruments/Minute Entries
Disposition Report: #241, Filed 11/16/23
Exhibits: None Sent At This Time
13. 8-Dec-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 05/12/2023 List # 5 in manila envelope
Hearing Date: 07/05/2023 List # 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 133 135 136 140 141 142 143 144 145 146 148 149 in manila envelope
14. 11-Dec-2023 FILED: Reporter's Transcript - 08/09/2023 - Trial - (Kassie Kosmal)
15. 11-Dec-2023 FILED: Reporter's Transcript - 08/02/2023 - Jury Trial - (Monica S Hill-Morrisette)
16. 11-Dec-2023 FILED: First Motion for Extension of Time to File (Time to File Transcripts) (Monica S Hill-Morrisette)
17. 12-Dec-2023 FILED: Reporter's Transcript - 08/03/2023 - Jury Trial - (Monica S Hill-Morrisette)
18. 12-Dec-2023 ORDERED: First Motion for Extension of Time to File (Time to File Transcripts) (Monica S Hill-Morrisette) = GRANTED. Due Dates EXTENDED to 01/10/2024 for Transcripts dated 08/01/2023, 07/20/2023, 07/19/2023, 07/18/2023, 07/17/2023 or OSC set on 01/17/2024. Hon Randall M Howe - Author
19. 12-Dec-2023 FILED: Reporter's Transcripts - 07/31/2023 - Trial Day 10 (Michelle White)
20. 13-Dec-2023 FILED: Reporter's Transcripts - 10/20/2023 - Sentencing - (Treva B. Colwell)
21. 20-Dec-2023 FILED: Reporter's Affidavit of Sealed Proceedings - 08/05/2022 -Status Conference - (Hope J Yeager); Minute Entry dated August 5, 2022
22. 21-Dec-2023 ORDERED: Unsealing the court reporter notes of the proceeding designated above to permit preparation of the transcript for use by the parties for this appeal only. The parties and counsel shall not further disclose or disseminate any information from this proceeding. FURTHER ORDERED: directing court reporter Hope Yeager to prepare an original and two copies of the transcript of the proceeding designated above and furnish one copy to appellant's counsel, one copy to appellee's counsel, and the sealed original to the clerk of this court by the current deadline of 01/02/2024, marked for filing in this appeal. Benjamin A Armstrong ProTem Judge - Author
23. 21-Dec-2023 FILED: Reporter's Transcript - 07/26/2023 - Status Conference - (Tara L. Kramer)
24. 21-Dec-2023 FILED: Reporter's Transcript - 07/10/2023 - Jury Trial - (Tara L. Kramer)
25. 21-Dec-2023 FILED: Courtesy Copy - Amended Designation of Record for Appeal Filed in Superior Court (Appellant)
26. 22-Dec-2023 FILED: Reporter's Transcript - 07/11/2023 - Jury Trial - (Tara L. Kramer)
27. 27-Dec-2023 FILED: Reporter's Transcript - 9/22/2021 - Reporter's Transcript of Proceedings (Wanda Bauer)
28. 27-Dec-2023 FILED: Reporter's Transcript - 07/12/2023 - Jury Trial - (Tara L. Kramer)
29. 28-Dec-2023 ORDERED: Vacating that portion of the court's order dated 11/17/2023, directing Court Reporter Ken Crenshaw to file the transcript(s) dated 04/21/2023(2:35PM- 2:58PM)(3:08PM-3:31PM). Hon Randall M Howe - Author
30. 28-Dec-2023 FILED: Reporter's Transcript - Reporter's Transcript of Proceedings - 07/5/2023 - (Lori Reinhardt)
31. 29-Dec-2023 FILED: Reporter's Transcript - 07/13/2023 - Jury Trial - (Tara L. Kramer)
32. 2-Jan-2024 FILED: Reporter's Transcript - 08/05/2022 - Status Conference - (Hope Yeager) (SEALED)
33. 2-Jan-2024 FILED: Reporter's Transcript - 05/06/2022 - Settlement Conference (Kimberly C. McCright)
34. 2-Jan-2024 FILED: Reporter's Transcript - 04/03/2023 - Trial Continuance/Reset (Kimberly C. McCright)
35. 2-Jan-2024 FILED: Reporter's Transcript - 05/12/2023 - Evidentiary Hearing (Kimberly C. McCright)

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36. 2-Jan-2024 FILED: Reporter's Transcript - 05/17/2023 - Trial Assignment (Kimberly C. McCright)
37. 2-Jan-2024 FILED: Reporter's Transcript - 05/23/2023 - Trial Assignment (Kimberly C. McCright)
38. 3-Jan-2024 FILED: Motion for Extension of Time (to File Transcripts) (Jessica L. Wasdyke)
39. 3-Jan-2024 FILED: Reporter's Transcript - 06/27/2023 - Trial Procedure Conference; Evidentiary Hearing (Kimberly C. McCright)
40. 3-Jan-2024 FILED: Reporter's Transcript of Proceedings - Final Trial Management Conference - 08/25/2022 - Luz Franco
41. 3-Jan-2024 ORDERED: Motion for Extension of Time (to File Transcripts) (Jessica L. Wasdyke) = GRANTED. Due date EXTENDED from Tuesday, 01-02-2024 to Thursday, 02-01-2024 (Transcript for 06/01/2022 by Reporter Jessica Wasdyke due) or OSC set on 02/07/2024. While the motion was accepted, there was no reason given as to why additional time was needed. Beginning February 1, 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
42. 3-Jan-2024 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
43. 8-Jan-2024 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheets (I.O.R. 4 and 10); the Jury Random List (I.O.R. 204); the Presentence Supporting Documents Coversheet (I.O.R. 224); and the Judgment and Orders of Restitution, Fines and Fees (I.O.R. 227), for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
44. 8-Jan-2024 FILED: Reporter's Transcript - 07/17/2023 - Jury Trial - (Monica S Hill-Morrisette)
45. 8-Jan-2024 FILED: Reporter's Transcript - 07/18/2023 - Jury Trial - (Monica S Hill-Morrisette)
46. 8-Jan-2024 FILED: Reporter's Transcript - 07/19/2023 - Jury Trial - (Monica S Hill-Morrisette)
47. 10-Jan-2024 FILED: Reporter's Transcript - 08/01/2023 - Jury Trial - (Monica S Hill-Morrisette)
48. 11-Jan-2024 FILED: Reporter's Transcript - 07/20/2023 - Jury Trial - (Monica S Hill-Morrisette)
49. 31-Jan-2024 FILED: Reporter's Transcript - 06/01/2022 - Trial Continuance - (Jessica Wasdyke)
50. 31-Jan-2024 FILED: Notice of Completion of Record
51. 6-Feb-2024 FILED: Notice of Appearance; Certificate of Service (Appellant)
52. 1-Mar-2024 FILED: Motion to Supplement Record on Appeal and Motion to Extend Time for Filing Opening Brief; Certificate of Service (Appellant)
53. 1-Mar-2024 FILED: Amended Certificate of Service (Appellant)
54. 4-Mar-2024 ORDERED: Motion to Supplement Record On Appeal (Appellant) = GRANTED. Ken Crenshaw transcript dated 04/21/2023 due by 04/03/2024. FURTHER ORDERED: The opening brief is due by 05/03/2024. Benjamin A Armstrong ProTem Judge - Author
55. 25-Mar-2024 FILED: Affidavit Regarding Ordered Transcripts (Ken Crenshaw)
56. 26-Mar-2024 ORDERED: Vacating that portion of the court's order dated 03/04/2024 directing Court Reporter Coordinator Ken Crenshaw to file the transcript dated 04/21/2023. Hon Randall M Howe - Author
57. 25-Apr-2024 FILED: Motion for Extension of Time to File Appellant's Opening Brief; Certificate of Service (Appellant)
58. 1-May-2024 ORDERED: Motion for Extension of Time to File Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 05-03-2024 to Monday, 06-03-2024. Benjamin A Armstrong ProTem Judge - Author
59. 3-Jun-2024 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance with Rule 31.12, ARCP; Certificate of Service (Appellant)
60. 4-Jun-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
61. 11-Jul-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
62. 11-Jul-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 07-15-2024 to Wednesday, 08-14-2024. Benjamin A Armstrong ProTem Judge - Author
63. 8-Aug-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
64. 9-Aug-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Wednesday, 08-14-2024 to Wednesday, 08-28-2024. Benjamin A Armstrong ProTem Judge - Author

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67 PROCEEDING ENTRIES

- 65. 28-Aug-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
- 66. 10-Sep-2024 FILED: Motion for Extension of Time to File Appellant's Reply Brief; Certificate of Service (Appellant)
- 67. 11-Sep-2024 ORDERED: Motion for Extension of Time to File Appellant's Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 09-17-2024 to Monday, 10-07-2024 Benjamin A Armstrong ProTem Judge - Author