

Court of Appeals, Division One

Criminal

1 CA-CR 23-0506

STATE v. BORQUEZ

Appellate Case Information

Case Filed: 16-Nov-2023

Case Closed:

Dept/Composition

Department B

Hon. Michael J Brown
Hon. D Steven Williams
Hon. Daniel J Kiley

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Casey Ball, Esq. (AZ Bar No. 34987)

Side 2. BACILIO BORQUEZ, Appellant

(Litigant Group) BACILIO BORQUEZ

- Bacilio Borquez

Attorneys for: Appellant

C Kenneth Ray, II, Esq. (AZ Bar No. 9810)

CASE STATUS

Jul 25, 2024.....Decision Rendered

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, P1300CR202101020, Sexual Conduct with a Minor, Count 1; Sexual Assault, Count 2, 23 years, ADOC; 23 years, ADOC, Debra R Phelan, Sentencing, JURY.

OPEN DUE DATE

Petition for Review to ASC due

Due By:

Monday, August 26, 2024

Re: MEMORANDUM DECISION (Vacated, Remanded) Hon Daniel J Kiley - Author; Hon Michael J Brown - Concur; Hon D Steven Williams - Concur

CASE DECISION

25-Jul-2024 MEMORANDUM DECISION

Daniel Kiley.....Author

Michael Brown.....Concur

D Williams.....Concur

Filed: 25-Jul-2024

Mandate:

Decision Disposition

Vacated
Remanded

24 PROCEEDING ENTRIES

- 1. 16-Nov-2023 FILED: Notice of Appeal from Yavapai County Superior Court filed 10/31/23. Notification to Court Reporters dated 11/02/2023.
2. 16-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 10 108 Digital Exhibits: Hearing Date: 10/30/2023 List # P1 P2 P3 P4 P5 P5 P6 Hearing Date: 08/31/2023 List # P8 P9 P10 Hearing Date: 09/06/2023 List # P20 P21 Reporter's Transcripts: 08/24/2023 (Susanne Nardozzi), 08/25/2023, (Susanne Nardozzi)
3. 17-Nov-2023 FILED: Appellate Clerk Notice (31.2(g))
4. 20-Nov-2023 FILED: Request for Extension (Time to File Transcripts) (Lisa Chaney)
5. 21-Nov-2023 ORDERED: Request for Extension (Time to File Transcripts) (Lisa Chaney) = GRANTED. Due date EXTENDED from Friday, 12-15-2023 to Tuesday, 01-16-2024 (Transcript for Judgement of Guilt and Sentencing on 10/30/2023 by Reporter Lisa A Chaney due or OSC set on 01/17/2024. 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
6. 29-Nov-2023 FILED: Reporter's Transcript - 10/30/2023 - Evidence Hearing - Prove Priors and Judgment of Guilt and Sentence (Lisa Chaney)

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 23-0506**

**STATE v. BORQUEZ**

**24 PROCEEDING ENTRIES**

7. 5-Dec-2023 FILED: Returned US Mail, Order re: Extension dated 11/21/2023, addressed to Bacilio Borquez, transferred to new facility (resent on 12/05/2023)
8. 5-Dec-2023 FILED: Reporter's Transcript - 09/05/2023 - Trial Day One (Mina G. Hunt)
9. 5-Dec-2023 FILED: Reporter's Transcript - 09/06/2023 - Trial Day Two (Mina G. Hunt)
10. 5-Dec-2023 FILED: Reporter's Transcript - 09/07/2023 - Trial Day Three (Mina G. Hunt)
11. 7-Dec-2023 ORDERED: Directing the Contract Administrator of the Yavapai County Public Defender to assign contract counsel to represent appellant in this appeal and to provide this court the name of assigned counsel by 12/20/2023. Benjamin A Armstrong ProTem Judge - Author
12. 7-Dec-2023 FILED: Notice of Assignment; Certificate of Service (Appellant)
13. 7-Dec-2023 FILED: Notice of Completion of Record
14. 21-Jan-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
15. 25-Jan-2024 FILED: Notice of Appearance; Certificate of Service (Appellee)
16. 26-Feb-2024 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
17. 27-Feb-2024 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Friday, 03-01-2024 to Monday, 04-01-2024 Benjamin A Armstrong ProTem Judge - Author
18. 1-Apr-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
19. 21-Apr-2024 FILED: Notice of No Reply; Certificate Of Service (Appellant)
20. 24-Apr-2024 FILED: Motion To Strike And Replace Appellant's Opening Brief; Certificate Of Service (Appellant)
21. 26-Apr-2024 ORDERED: Motion To Strike And Replace Appellant's Opening Brief (Appellant) = GRANTED and striking the opening brief filed 01/21/2024. FURTHER ORDERED: Substituting the stricken opening brief with the amended opening brief attached to the motion filed 04/24/2024. FURTHER ORDERED: Directing the clerk of this court to seal the opening brief filed 01/21/2024. Benjamin A Armstrong ProTem Judge - Author
22. 28-May-2024 CLNDR: CONFERENCE, Department B, 7-10-24, CONFERENCE ROOM.
23. 25-Jul-2024 MEMORANDUM DECISION (Vacated, Remanded) Hon Daniel J Kiley - Author; Hon Michael J Brown - Concur; Hon D Steven Williams - Concur
24. 25-Jul-2024 FILED: Decision Distribution Notification