

Court of Appeals, Division One
Criminal Petition Review Post Conviction Relief

1 CA-CR 23-0563 PRPC

STATE v. SCALPH

Appellate Case Information

Case Filed: 21-Dec-2023
Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Respondent
(Litigant Group) STATE OF ARIZONA

● State of Arizona

Attorneys for: Respondent

Philip D Garrow, Esq. (AZ Bar No. 22458)

Side 2. JACK BUCHANAN SCALPH, Petitioner
(Litigant Group) JACK BUCHANAN SCALPH

● Jack Buchanan Scalph

Attorneys for: Petitioner

Katia Mehu, Esq. (AZ Bar No. 16992)

CASE STATUS

Feb 2, 2024.....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2016-005574-001			Kristin Culbertson, Judge on PC		

CALENDAR

Friday MOTION CALENDAR
12-Jul-2024 Department M;

File date: 7/5/2024.....Motion Requesting Transmittal of Exhibit (Petitioner)

DECISION RENDERED: See proceeding entry for ORDER dated 16-Jul-2024 for more information...

17 PROCEEDING ENTRIES

- 21-Dec-2023 FILED: Petition for Review; Certificate of Service; Rule 32.16(C)(2)(a) Exhibits (Petitioner)
- 22-Dec-2023 ORDERED: Clerk of Maricopa County Superior Court to transmit record on appeal, including but not limited to reporter's transcripts and exhibits, to clerk, Court of Appeals, on/before 02/05/2023. Amy M Wood - Author
- 19-Jan-2024 FILED: Notice of Acknowledgment; Certificate of Service (Respondent)
- 29-Jan-2024 FILED: Reply to Prosecution Response to Petition for Review; Certificate of Service (Petitioner)
- 2-Feb-2024 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 05/19/2017 List # 20 24 27 in manila envelope
Hearing Date: 06/05/2017 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 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 75 77 79 in manila envelope
Hearing Date: 08/04/2017 List # 2 3 4 5 5.001 6 7 8 9 in manila envelope
- 2-Feb-2024 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None sent with e-Record
Reporter's Transcripts: 08/04/2017 (Diane Donoho)
- 19-Feb-2024 FILED: Motion for Order Directing Maricopa County Superior Court to Transmit Additional Record Designated Pursuant to Rule 32.16(b); Certificate of Service; Notice of Filing and Additional Record Designation (Petitioner)
- 27-Feb-2024 ORDERED: Motion for Order Directing Maricopa County Superior Court to Transmit Additional Record Designated Pursuant to Rule 32.16(b) (Petitioner) = GRANTED and supplementing the record on review by including the media file/thumb drive that contains surveillance videos made 03/02/2016 and 03/03/2016. FURTHER ORDERED: Directing the Clerk of the Maricopa County Superior Court to forward the exhibit to this court by 03/11/2024, marked for filing in this appeal. Benjamin A Armstrong ProTem Judge - Author
- 8-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Letter dated 02/29/2024)

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10. 9-Apr-2024 FILED: Motion to Stay Appellate Review and Remand to Develop and Perfect the Appellate Record; Certificate of Service; Notice of Filing Rule 32.7(E) Supporting Documents (Petitioner)
11. 23-Apr-2024 ORDERED: Pursuant to Arizona Rule of Criminal Procedure 31.8(g), staying this appeal until 06/24/2024, and revesting jurisdiction in the Maricopa County Superior Court to give the court the opportunity to consider the video evidence and for other proceedings consistent with this order. The court expresses no opinion regarding what action, if any, the superior court should take regarding the video evidence. FURTHER ORDERED: That the stay will be automatically lifted on 06/25/2024. FURTHER ORDERED: Directing the clerk of this court to send this order to the Honorable Kristin Culbertson; the Clerk of the Maricopa County Superior Court; and the Maricopa County Superior Court Criminal Department Administrator. Benjamin A Armstrong ProTem Judge - Author
12. 28-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes ME: Ruling [06/19/2024])
13. 5-Jul-2024 FILED: Motion Requesting Transmittal of Exhibit; Certificate of Service (Petitioner)
14. 5-Jul-2024 FILED: Notice of Review; Certificate of Service (Petitioner)
15. 10-Jul-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Exhibit Worksheet HD 05/30/2024)
16. 11-Jul-2024 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 05/30/2024 List # 1 in manila envelope
17. 16-Jul-2024 ORDERED: Motion Requesting Transmittal of Exhibit (Petitioner) = DENIED as unnecessary. Benjamin A Armstrong ProTem Judge - Author