

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

1 CA-CR 24-0021 PRPC

STATE v. GARLAND

Appellate Case Information

Case Filed: 11-Jan-2024
Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

• State of Arizona

Attorneys for: Respondent

Robert A Walsh, Esq. (AZ Bar No. 16071)

Side 2. RUFUS LEE GARLAND, Petitioner

(Litigant Group) RUFUS LEE GARLAND

• Rufus Lee Garland

PRO SE

CASE STATUS

Feb 29, 2024....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2020-128043-001			Michael W Kemp, Judge on PC		

15 PROCEEDING ENTRIES

1. 11-Jan-2024 FILED: Arizona Court Of Appeals Division One Appellant - (Pro Per)(Petition for Review) (PCR) (Petitioner Pro Per)
2. 16-Jan-2024 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 03/01/2024. Amy M Wood - Author
3. 16-Jan-2024 ORDERED: Directing petitioner to serve opposing counsel with a copy of the petition for review and file a certificate of service that complies with Rule 1.7(c) by 01/30/2024. FURTHER ORDERED: Vacating the 02/12/2024, due date for a response to the petition for review. FURTHER ORDERED: Any response to the petition for review must be filed by 02/29/2024. Benjamin A Armstrong ProTem Judge - Author
4. 22-Jan-2024 FILED: Certificate of Service
5. 30-Jan-2024 FILED: State's Response to Petition for Review; Certificate of Service (Respondent)
6. 12-Feb-2024 FILED: Arizona Court of Appeals Division One Appellant-(Pro-Per) (Reply to Petition for Review (PCR)) (Petitioner Pro Per)
7. 13-Feb-2024 ORDERED: Striking the Reply Brief filed 02/12/2024. FURTHER ORDERED: Appellant may file a signed replacement reply by 03/01/2024. Benjamin A Armstrong ProTem Judge - Author
8. 26-Feb-2024 FILED: Arizona Court of Appeals Division One Appellant-(Pro-Per) (Reply to Petition for Review (PCR)) (Petitioner Pro Per)(Amended)
9. 29-Feb-2024 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 01/06/2022 List # 1 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 92 93 94 95 96 97 in manila envelope
10. 29-Feb-2024 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 117
Exhibits: None sent with e-Record
11. 4-Mar-2024 FILED: Untitled (Motion to Supplement Petition) (Petitioner Pro Per)

[ACCEPTED per order filed 03/11/2024]
12. 11-Mar-2024 ORDERED: Untitled (Motion to Supplement Petition) (Petitioner Pro Per) = GRANTED and accepting the supplemental authority and additional exhibit. Benjamin A Armstrong ProTem Judge - Author
13. 15-Jul-2024 FILED: Arizona Court of Appeals Division One Appellant-(Pro-Per) (Reply to Petition for Review (PCR)) (Petitioner Pro Per)
14. 15-Jul-2024 FILED: Petitioner-Pro-Per Rule 32 Petition Reply (Petitioner Pro Per)

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15. 18-Jul-2024 ORDERED: Advising petitioner that the court accepted the reply he filed on 02/26/2024, and the court will consider the reply along with his petition for review. Petitioner may not file an additional reply. FURTHER ORDERED: Denying the motion to supplement the record with additional exhibits. Petitioner may not present evidence on review not first presented to the superior court. State v. Wagstaff, 161 Ariz. 66, 71 (App. 1988); State v. Ramirez, 126 Ariz. 464, 468 (App. 1980); State v. Bortz, 169 Ariz. 575 578 (App. 1991). The court will only consider materials contained in the record on review considered by the superior court in the postconviction relief proceeding on review. FURTHER ORDERED: the court will take no further action regarding the two documents filed 07/15/2024. Benjamin A Armstrong ProTem Judge - Author