

Court of Appeals, Division One

Criminal

1 CA-CR 24-0123

STATE v. FLOWERS

Appellate Case Information

Case Filed: 5-Mar-2024

Case Closed:

Dept/Composition

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. MELVIN MICHAEL FLOWERS, Appellant

(Litigant Group) MELVIN MICHAEL FLOWERS

- Melvin Michael Flowers

Attorneys for: Appellant

Alane M Ortega, Esq. (AZ Bar No. 25719)

CASE STATUS

Jul 12, 2024.....Record Complete-Notice Completion Sent

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2020-145272-001, Murder 1st, Natural Life, ADCRR, Margaret LaBianca, Sentencing, JURY.

OPEN DUE DATE

Opening Brief Due

Due By: Thursday, October 10, 2024

Re: FILED: Notice of Completion of Record

CALENDAR

Friday MOTION CALENDAR

19-Jul-2024 Department M;

File date: 7/16/2024..... Motion to Withdraw and Substitute New Counsel; MOTION TO EXTEND OPENING BRIEF DUE DATE (Appellant) DECISION RENDERED: See proceeding entry for ORDER dated 22-Jul-2024 for more information...

File date: 7/16/2024..... MOTION TO WITHDRAW AND SUBSTITUTE NEW COUNSEL; Motion to Extend Opening Brief Due Date (Appellant) DECISION RENDERED: See proceeding entry for ORDER dated 22-Jul-2024 for more information...

71 PROCEEDING ENTRIES

- 1. 5-Mar-2024 FILED: Notice of Appeal from Maricopa County Superior Court filed 02/24/24. Notification to Court Reporters dated 03/04/2024.
2. 5-Mar-2024 FILED: Appellate Clerk Notice (31.2(g))
3. 5-Mar-2024 ORDERED: Recognizing that attorney Dave Erlichman is appearing in this matter as counsel for appellant. FURTHER ORDERED: Directing that the transcripts be prepared at public expense. Benjamin A Armstrong ProTem Judge - Author
4. 9-Mar-2024 FILED: Motion for Withdrawal as Appellant's Attorney; Certificate of Service (Appellant)
5. 11-Mar-2024 FILED: Returned US Mail, Appellate Clerk Notice (31.2(g)) dated 03/05/2024, addressed to Roger Nace, Forward time exp - Return to sender (Not resent)
6. 20-Mar-2024 ORDERED: Motion for Withdrawal as Appellant's Attorney (Appellant) = GRANTED. FURTHER ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant for all remaining proceedings on appeal. Benjamin A Armstrong ProTem Judge - Author
7. 20-Mar-2024 FILED: Notice of Appearance; Certificate of Service (Appellant)
8. 21-Mar-2024 FILED: Reporter's Transcripts - 10/26/2023 - Trial Day 14 - (Vanessa Gartner)
9. 21-Mar-2024 FILED: Reporter's Transcript - 10/16/2023 - Jury Trial - (Tara L. Kramer)

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10. 21-Mar-2024 FILED: Reporter's Transcript - 02/16/2024 - Sentencing - (Tara L. Kramer)
11. 25-Mar-2024 FILED: Designation of Record for Appeal Filed in Superior Court (Appellant)
12. 25-Mar-2024 ORDERED: Court Reporter Ken Crenshaw transcript(s) dated 05/04/2021, 02/22/2023, and 07/10/2023 due by 05/09/2024. FURTHER ORDERED: Court Reporter April Escobedo transcript(s) dated 07/25/2022 due by 05/09/2024. FURTHER ORDERED: Reaffirming this previously set due date of 04/09/2024 for transcripts dated 10/31/2023 (AM Session) and 10/30/2023 for Court Reporter April Escobedo. FURTHER ORDERED: Court Reporter Catherine Turner transcript(s) dated 02/06/2023 due by 05/09/2024. FURTHER ORDERED: Reaffirming this previously set due date of 04/09/2024 for transcripts dated 10/23/2023, 10/03/2023, and 10/02/2023 for Court Reporter Catherine Turner. FURTHER ORDERED: Court Reporter Debra Carney transcript(s) dated 08/01/2023 and 10/03/2022 due by 05/09/2024. FURTHER ORDERED: Court Reporter Diane Donoho transcript(s) dated 07/28/2021 due by 05/09/2024. FURTHER ORDERED: Court Reporter Hope Yeager transcript(s) dated 06/13/2022 due by 05/09/2024. FURTHER ORDERED: Court Reporter Kassie Kosmal transcript(s) dated 08/28/2023 due by 05/09/2024. FURTHER ORDERED: Reaffirming this previously set due date of 04/09/2024 for transcripts dated 10/31/2023 (PM Session) for Court Reporter Kassie Kosmal. FURTHER ORDERED: Court Reporter Kit Walker transcript(s) dated 07/24/2023 due by 05/09/2024. FURTHER ORDERED: Court Reporter Lauren Kuhnenn transcript(s) dated 03/17/2023, 12/12/2022, and 08/18/2022 due by 05/09/2024. FURTHER ORDERED: Court Reporter Lisa Bradley transcript(s) dated 08/15/2023 due by 05/09/2024. FURTHER ORDERED: Reaffirming this previously set due date of 04/09/2024 for transcripts dated 10/25/2023 for Court Reporter Lisa Bradley. FURTHER ORDERED: Court Reporter Luz Franco transcript(s) dated 10/09/2023 due by 05/09/2024. FURTHER ORDERED: Court Reporter Michelle White transcript(s) dated 01/02/2024 due by 05/09/2024. FURTHER ORDERED: Court Reporter Michael Babicky transcript(s) dated 01/13/2023 due by 05/09/2024. FURTHER ORDERED: Court Reporter Monica Hill-Morrisette transcript(s) dated 12/06/2023 and 04/11/2023 due by 05/09/2024. FURTHER ORDERED: Court Reporter Robin Lawlor transcript(s) dated 11/30/2021 due by 05/09/2024. FURTHER ORDERED: Court Reporter Scott Kindie transcript(s) dated 09/20/2023, 06/27/2023, and 11/18/2022 due by 05/09/2024. FURTHER ORDERED: Reaffirming this previously set due date of 04/09/2024 for transcripts dated 10/18/2023, and 10/04/2023 (AM Session) for Court Reporter Scott Kindie. FURTHER ORDERED: Court Reporter Treva Colwell transcript(s) dated 07/14/2023 due by 05/09/2024. Hon Randall M Howe - Author
13. 27-Mar-2024 FILED: Reporter's Transcript - 07/24/2023 - Pretrial Conference - (Kit Walker)
14. 28-Mar-2024 FILED: Reporter's Transcript - 10/02/2023 - Jury Trial - (Catherine Turner)
15. 28-Mar-2024 FILED: Reporter's Transcript - 10/03/2023 - Jury Trial - (Catherine Turner)
16. 28-Mar-2024 FILED: Reporter's Transcript - 08/15/2023 - Status Conference - (Lisa Bradley)
17. 28-Mar-2024 FILED: Returned US Mail, Order Granting Motion to Withdraw and Appointing Counsel dated 03/19/2024, addressed to Melvin Michael Flowers, No longer in custody (Resent 04/01/2024)
18. 2-Apr-2024 FILED: Reporter's Transcripts - 10/25/2023 -Trial Day 13 - (Lisa Bradley)
19. 2-Apr-2024 FILED: Reporter's Transcripts - 01/13/2023 - Hearing - (Michael Babicky)
20. 2-Apr-2024 FILED: Reporter's Transcript -10/04/2023 - Trial Day 3 - P.M. Session - (Nicole Tatlow)
21. 3-Apr-2024 FILED: Reporter's Transcript - 10/04/2023 - Trial Day 3 (Morning) - Scott Kindie
22. 3-Apr-2024 FILED: Reporter's Transcript - 10/18/2023 - Trial Day 9 (Scott Kindie)
23. 4-Apr-2024 FILED: Reporter's Transcript - 10/24/2023 - Trial Day 12 - (Lori Reinhardt)
24. 6-Apr-2024 FILED: Reporter's Transcript - 10/23/2023 - Jury Trial - (Catherine Turner)
25. 6-Apr-2024 FILED: Reporter's Transcript - 02/06/2023 - Final Trial Management Conference - (Catherine Turner)
26. 7-Apr-2024 FILED: Reporter's Transcript - 10/26/2023 - Trial - (Wendy C. Ricard)
27. 8-Apr-2024 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 387
Exhibits: None sent with e-Record

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- 28. 8-Apr-2024 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 01/11/2023 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 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 93 94 100 101 102 103 104 105 106 107 108 119 120 123 124 125 126 127 128
129 130 131 132 133 135 136 137 138 139 140 141 142 146 148 149 150 177 182 184 186 187 188 190 192 194 198 199 200
201 202 203 204 205 206 207 208 210 211 212 214 216 217 218 219 220 221 222 223 224 225 226 227 229 231 232 234 235
236 237 238 239 241 242 243 245 259 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 281 282 283 284 285
300 305 306 307 308 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
- 29. 8-Apr-2024 FILED: Reporter's Transcripts - 10/17/2023 - Trial Day 7 - (Kristine Mayo)
- 30. 9-Apr-2024 FILED: Reporter's Transcript - 10/11/2023 - Trial Day 6 - (Kimberly Portik)
- 31. 9-Apr-2024 FILED: Reporter's Transcript - 10/5/2023 - Trial - Day 4 - (Kimberly Portik)
- 32. 9-Apr-2024 FILED: Reporter's Transcript - 10/19/2023 - Trial - Day 10 - (Kimberly Portik)
- 33. 9-Apr-2024 FILED: Reporter's Transcript - 10/31/2023 - Jury Trial - PM Session - (Kassie Kosmal)
- 34. 10-Apr-2024 ORDERED: Court Reporter April Escobedo transcripts dated 10/30/2023 and 10/31/2023 due by 05/09/2024 or OSC set on 05/15/2024. Hon Randall M Howe - Author
- 35. 10-Apr-2024 ORDERED: Court Reporter Michele Kaley transcripts dated 10/10/2023 due by 05/09/2024 or OSC set on 05/15/2024. Hon Randall M Howe - Author
- 36. 10-Apr-2024 FILED: Reporter's Transcripts - 10/31/2023 - Trial - Day 16 - (April Escobedo)
- 37. 10-Apr-2024 FILED: Reporter's Transcripts - 10/30/2023 - Trial - Day 15 - (April Escobedo)
- 38. 15-Apr-2024 FILED: Reporter's Transcripts - 7/14/2023 - Status Conference (Treva B. Colwell)
- 39. 17-Apr-2024 FILED: Reporter's Transcript - 10/10/2023 - Trial - (Michele Kaley)
- 40. 26-Apr-2024 FILED: Reporter's Transcripts - 08/18/2022 - Trial Continuance Past Last Day - (Lauren Kuhnhenh)
- 41. 26-Apr-2024 FILED: Reporter's Transcripts - 03/17/2023 - Settlement Conference - (Lauren Kuhnhenh)
- 42. 26-Apr-2024 FILED: Reporter's Transcripts - 12/12/2022 - Status Conference - (Lauren Kuhnhenh)
- 43. 2-May-2024 FILED: Reporter's Transcript - 11/30/2021 - Final Trial Management Conference (Robin Lawlor)
- 44. 2-May-2024 FILED: Reporter's Transcript - 10/09/2023 - Oral Argument - (Luz Franco)
- 45. 2-May-2024 FILED: Reporter's Transcript - 04/11/2023 - Final Trial Management Conference - (Monica S Hill-Morrisette)
- 46. 2-May-2024 FILED: Reporter's Transcript - 12/06/2023 - Sentencing Continued - (Monica S Hill-Morrisette)
- 47. 3-May-2024 FILED: Reporter's Transcript - 10/03/2022 - Trial Continuance - (Debra Carney)
- 48. 6-May-2024 FILED: Reporter's Transcript - 07/28/2021 - Status Conference - (Diane Donoho)
- 49. 6-May-2024 FILED: Request For Extension of Time to File Transcript (Debra Carney)
- 50. 7-May-2024 ORDERED: Request For Extension of Time to File Transcript (Debra Carney) = GRANTED. Due date EXTENDED from Thursday, 05/09/2024 to Monday, 06/10/2024 for Transcript dated 08/01/2023 or OSC set on 06/19/2024. Hon Randall M Howe - Author
- 51. 8-May-2024 FILED: Request for Extension to File Transcripts (Kassie Kosmal)
- 52. 8-May-2024 FILED: Reporter's Transcript - 09/20/2023 - Status Conference (Scott Kindle)
- 53. 8-May-2024 FILED: Reporter's Transcript - 06/27/2023 - Final Trial Management Conference (Scott Kindle)
- 54. 8-May-2024 FILED: Reporter's Transcript - 11/18/2022 - Status Conference (Scott Kindle)
- 55. 8-May-2024 ORDERED: Request for Extension to File Transcripts (Kassie Kosmal) = GRANTED. Due date EXTENDED from Thursday, 05/09/2024 to Monday, 06/10/2024 for Transcript dated 08/28/2023 or OSC set on 06/19/2024. Hon Randall M Howe - Author

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56. 9-May-2024 FILED: Reporter's Transcript - 06/13/2022 - Final Trial Management Conference - (Hope J. Yeager)
[Amended Version filed 05/14/2024]
57. 9-May-2024 FILED: Reporter's Transcripts - 07/25/2022- Final Trial Management Conference - (April Escobedo)
58. 10-May-2024 ORDERED: Ken Crenshaw transcripts dated 05/04/2021, 02/22/2023, 07/10/2023 due by 06/10/2024 or OSC set on 06/19/2024. Hon Randall M Howe - Author
59. 10-May-2024 ORDERED: Michelle White transcripts dated 01/02/2024 due by 06/10/2024 or OSC set on 06/19/2024. Hon Randall M Howe - Author
60. 14-May-2024 FILED: Amended Reporter's Transcript - 06/13/2022 - Final Trial Management Conference - (Hope J. Yeager)
61. 3-Jun-2024 FILED: Reporter's Transcript - 08/28/2023 - Status Conference - (Kassie Kosmal)
62. 6-Jun-2024 FILED: Reporter's Transcript - 08/01/2023 - Trial Reset - (Debra Carney)
63. 11-Jun-2024 FILED: Reporter's Transcripts - 01/02/2024 - Sentencing - (Michelle White)
64. 14-Jun-2024 FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw)
65. 18-Jun-2024 ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 07/10/2024 for Transcripts dated 07/10/2023, 02/22/2023, 05/04/2021 or OSC set on 07/17/2024. FURTHER ORDERED: Vacating the OSC currently set for 06/19/2024. Hon Randall M Howe - Author
66. 9-Jul-2024 FILED: Reporter's Transcripts - 02/22/2023 - Trial Continuance Past Last Day - (Jacqueline Baradi)
67. 9-Jul-2024 FILED: Reporter's Transcripts - 05/04/2021 - Oral Argument/Matter Under Advisement - (Jacqueline Baradi)
68. 9-Jul-2024 FILED: Reporter's Transcripts - 07/10/2023 - Trial Assignment - (Jacqueline Baradi)
69. 12-Jul-2024 FILED: Notice of Completion of Record
70. 16-Jul-2024 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
71. 22-Jul-2024 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing attorney Alane Ortega as attorney for appellant in this appeal. FURTHER ORDERED: The Maricopa County Public Defender must immediately forward all files, records, transcripts, and other documents that relate to this appeal to newly appointed counsel. FURTHER ORDERED: Motion to Extend Opening Brief Due Date = GRANTED. Due date EXTENDED to Thursday, 10-10-2024. Benjamin A Armstrong ProTem Judge - Author