

Court of Appeals, Division One

Criminal

1 CA-CR 24-0224

STATE v. COOK

Appellate Case Information

Case Filed: 22-Apr-2024

Case Closed: 20-Jun-2024

Reinstated x 1: 8-Jul-2024 Dismissal

Re-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. SEANTAIN LEROY COOK, Appellant

(Litigant Group) SEANTAIN LEROY COOK

- Seantain Leroy Cook

Attorneys for: Appellant

Mikel Steinfeld, Esq. (AZ Bar No. 24996)

CASE STATUS

Aug 27, 2024...Decision Rendered

Jul 8, 2024.....Reinstated Case

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Contains two rows of case history.

2 OPEN DUE DATES

Motion for Reconsideration due

Due By: Wednesday, September 11, 2024

Re: ORDERED: Dismissing this appeal as a duplicate of 1 CA-CR 24-0222. This dismissal will have no effect on the court's consideration of the appeal in 1 CA-CR 24-0222. Benjamin A Armstrong ProTem Judge - Author

Petition for Review to ASC due

Due By: Thursday, September 26, 2024

Re: ORDERED: Dismissing this appeal as a duplicate of 1 CA-CR 24-0222. This dismissal will have no effect on the court's consideration of the appeal in 1 CA-CR 24-0222. Benjamin A Armstrong ProTem Judge - Author

2 CASE DECISIONS

23-Apr-2024 ORDER

Vacated

ORDERED: Dismissing this appeal.

Benjamin Armstrong.....Author

Filed: 23-Apr-2024

Mandate:

Decision Disposition

Dismissed

27-Aug-2024 ORDER

ORDERED: Dismissing this appeal as a duplicate of 1 CA-CR 24-0222. This dismissal will have no effect on the court's consideration of the appeal in 1 CA-CR 24-0222.

Benjamin Armstrong.....Author

Filed: 27-Aug-2024

Mandate:

Decision Disposition

Dismissed

23 PROCEEDING ENTRIES

- 1. 22-Apr-2024 FILED: Notice of Appeal from Maricopa County Superior Court filed 04/17/24. Notification to Court Reporters dated 04/19/2024.
2. 22-Apr-2024 FILED: Appellate Clerk Notice (31.2(g))
3. 23-Apr-2024 ORDERED: Dismissing this appeal. Benjamin A Armstrong ProTem Judge - Author
4. 8-May-2024 FILED: Appellants Motion to Reconsider Dismissal and Delayed Appeal 32.21 (F) (Appellant Pro Per)

Court of Appeals, Division One**Criminal****1 CA-CR 24-0224****STATE v. COOK****23 PROCEEDING ENTRIES**

5. 9-May-2024 FILED: Appellants Motion to Reconsider Dismissal and Delayed Appeal 32.21 (F) Amended (Appellant Pro Per)
6. 29-May-2024 ORDERED: Appellants Motion to Reconsider Dismissal and Delayed Appeal 32.21 (F) (Appellant Pro Per) = DENIED. FURTHER ORDERED: Appellants Motion to Reconsider Dismissal and Delayed Appeal 32.21 (F) Amended = DENIED. Hon David B Gass - Author
7. 20-Jun-2024 FILED: Letter, 06/20/2024, Certified Copy of Order dismissing appeal. No physical record to be returned to clerk, Maricopa County Superior Court.
8. 1-Jul-2024 FILED: Appellant's Motion to Reinstate Appeal(s) with Leave to File Delayed (Appellant Pro Per)
9. 8-Jul-2024 ORDERED: Appellant's Motion to Reinstate Appeal(s) with Leave to File Delayed (Appellant Pro Per) = GRANTED and reinstating this appeal. FURTHER ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Directing court reporters Luz Franco and Sandy Ong-Wolf to prepare an original and two copies of all transcripts Arizona Rule of Criminal Procedure 31.8 requires and furnish one copy to appellant's counsel, one copy to appellee's counsel, and the original to the clerk of this court by 08/22/2024, marked for filing in this appeal. Benjamin A Armstrong ProTem Judge - Author
10. 10-Jul-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 08/26/2024. Amy M Wood - Author
11. 18-Jul-2024 FILED: Procedural Motion to Reconsider (Appellant Pro Per)
12. 18-Jul-2024 FILED: Appellants [sic] Motion Seeking Telephonic Coleman Hearing (Appellant Pro Per)
13. 25-Jul-2024 ORDERED: Staying this appeal until 08/26/2024, and re-vesting jurisdiction in the Maricopa County Superior court to conduct a "Faretta-like hearing" (informing appellant of the dangers and disadvantages of self-representation) and determine whether appellant's waiver of counsel on appeal is made knowingly, intelligently, and voluntarily. See Faretta v. California, 422 U.S. 806, 834-35 (1975) (identifying factors for valid waiver of counsel); Coleman, 235 Ariz. at 198-99, ¶ 19 (requiring a "Faretta-like hearing" before accepting waiver of appellate counsel). FURTHER ORDERED: Directing the clerk of the superior court to transmit to this court a certified copy of the superior court's determination regarding appellant's waiver of appellate counsel within 5 days after its entry, marked for filing in this appeal. FURTHER ORDERED: That the stay will be automatically lifted on 08/27/2024, unless one of the parties or the superior court seeks to extend the stay. FURTHER ORDERED: This order does not affect court reporter obligations to prepare and file timely all transcripts due in this matter. Benjamin A Armstrong ProTem Judge - Author
14. 26-Jul-2024 ORDERED: Procedural Motion to Reconsider (Appellant Pro Per) = TAKING NO ACTION. This order will have no effect on the court's consideration of the motions to reconsider in 1 CA-CR 24-0329 and 1 CA-CR 24-0330. Benjamin A Armstrong ProTem Judge - Author
15. 16-Aug-2024 FILED: Reporter's Transcripts - 08/05/2008 - Sentencing - (Sandy Ong-Wolf)
16. 19-Aug-2024 FILED: Reporter's Transcript - 04/29/2008 - Trial (Day 2) - (Luz Franco)
17. 19-Aug-2024 FILED: Reporter's Transcript - 04/30/2008 - Trial (Day 3) - (Luz Franco)
18. 19-Aug-2024 FILED: Reporter's Transcript - 05/01/2008 - Trial (Day 4) - (Luz Franco)
19. 19-Aug-2024 FILED: Reporter's Transcript - 05/05/2008 - Trial (Day 5) - (Luz Franco)
20. 23-Aug-2024 FILED: Record on Appeal (CR2007-155724-001):
Combined Instruments/Minute Entries
Disposition Report: #68, Filed 8/28/08
21. 23-Aug-2024 FILED: Record on Appeal (CR2007-031290-001):
Combined Instruments/Minute Entries
Disposition Report: #68, Filed 8/28/08
22. 27-Aug-2024 ORDERED: Dismissing this appeal as a duplicate of 1 CA-CR 24-0222. This dismissal will have no effect on the court's consideration of the appeal in 1 CA-CR 24-0222. Benjamin A Armstrong ProTem Judge - Author
23. 28-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Notice of Right to Counsel and Waiver for Appeal; ME: Oral Argument/Coleman Hearing)