

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

**1 CA-CR 24-0324 PRPC**

**STATE v. GARCIA**

**Appellate Case Information**

Case Filed: 3-Jun-2024  
Case Closed:

**Dept/Composition**

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

- State of Arizona

**Attorneys for: Respondent**

Johnny Jacquez, Esq. (AZ Bar No. 37963)

**Side 2. DIEGO GARCIA, Petitioner**  
**(Litigant Group) DIEGO GARCIA**

- Diego Garcia

**Attorneys for: Petitioner**

Bretton Hollis Barber, Esq. (AZ Bar No. 29904)

| PREDECESSOR CASE(S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments>        | Trial | Dispo |
|---------------------|--------------------|-------------------|-------------------------------|-------|-------|
| MAR                 | CR2006-009060-001  |                   | Jeffrey A Rueter, Judge on PC |       |       |

**2 OPEN DUE DATES**

**Reply to Petition (PCR)**

**Due By:** Wednesday, September 25, 2024

Re: FILED: State's Response to Petition for Review; Certificate of Service (Respondent)

[Notice of Errata filed on 09/13/2024]

**Record Due**

**Due By:** Monday, September 30, 2024

Re: FILED: Petition For Review (Post-Conviction Relief, Ariz. R. Crim. P. 33.16); Certificate of Service (Petitioner)

**13 PROCEEDING ENTRIES**

- 7-Jun-2024 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/03/24. Amended Notification to Court Reporters dated 06/06/2024.
- 11-Jun-2024 FILED: Appellate Clerk Notice (31.2(g))
- 11-Jun-2024 ORDERED: Directing clerk of this court to refile notice of appeal as a petition for review to avoid a summary dismissal of the notice of appeal. FURTHER ORDERED: Directing clerk of this court to transfer all records in this appeal to new post-conviction relief case. FURTHER ORDERED: Dismissing this matter. This dismissal will have no effect on court's consideration of new post-conviction relief case. Benjamin A Armstrong ProTem Judge - Author
- 14-Jun-2024 FILED: Letter, 06/14/2024, to Mr. Barber, Petitioner, from Court Re: non-compliant Petition for Review; allowing 30 days from date of this letter to file compliant petition for review
- 21-Jul-2024 FILED: Motion for a Procedural Order; Certificate of Service (Petitioner)
- 22-Jul-2024 ORDERED: Motion for a Procedural Order (Petitioner) = GRANTED. Due date EXTENDED from Monday, 07-15-2024 to Wednesday, 08-14-2024. Benjamin A Armstrong ProTem Judge - Author
- 12-Aug-2024 FILED: Petition For Review (Post-Conviction Relief, Ariz. R. Crim. P. 33.16); Certificate of Service (Petitioner)
- 12-Aug-2024 FILED: Untitled Appendix (Petitioner)
- 14-Aug-2024 ORDERED: Directing appellant to file an amended, signed certificate of service by 08/21/2024. Benjamin A Armstrong ProTem Judge - Author
- 14-Aug-2024 FILED: Certificate of Service (Petitioner)
- 15-Aug-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 09/30/2024. Amy M Wood - Author
- 11-Sep-2024 FILED: State's Response to Petition for Review; Certificate of Service (Respondent)  
[Notice of Errata filed on 09/13/2024]
- 13-Sep-2024 FILED: Notice of Errata; Certificate of Service (Respondent)

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