

Court of Appeals, Division One

Criminal

1 CA-CR 24-0330

STATE v. COOK

Appellate Case Information

Case Filed: 17-Jun-2024
Case Closed: 29-Aug-2024

Dismissal

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

Advisory Counsel for: Appellant

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

CASE STATUS

Aug 29, 2024...Case Closed

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2021-001949-001, Agg DUI-Lic Susp/Rev for DUI, Class 4; Agg DUI-Lic Susp/Rev for DUI, Class 4, 12 years, ADCRR; 12 years. ADCRR, Laura Johnson Giaquinto, Sentencing.

CASE DECISION

29-Aug-2024 ORDER

ORDERED: ORDERED: Procedural Motion to Dismiss Appeal Due to P.C.R Proceeding (Appellant Pro Per) = GRANTED and dismissing this appeal under Arizona Rule of Criminal Procedure 31.24(b).

Filed: 29-Aug-2024 Mandate:

Decision Disposition

Dismissed

Benjamin Armstrong.....Author

28 PROCEEDING ENTRIES

- 1. 17-Jun-2024 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/13/24. Notification to Court Reporters dated 06/14/2024.
2. 20-Jun-2024 FILED: Appellate Clerk Notice (31.2(g))
3. 21-Jun-2024 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters April Escobedo, Catherine Turner, and Hope Yeager transcripts due 08/05/2024. Benjamin A Armstrong ProTem Judge - Author
4. 24-Jun-2024 FILED: Reporter's Transcript - 04/19/2022 - Jury Trial - (Catherine Turner)
5. 24-Jun-2024 FILED: Reporter's Transcript - 04/21/2022 - Jury Trial - (Catherine Turner)
6. 24-Jun-2024 FILED: Reporter's Transcript - 04/22/2022 - Jury Trial - (Catherine Turner)
7. 1-Jul-2024 FILED: Procedural Motion to Dismiss Appeal Due to P.C.R Proceeding (Appellant Pro Per)
8. 8-Jul-2024 ORDERED: Procedural Motion to Dismiss Appeal Due to P.C.R Proceeding (Appellant Pro Per) = DENIED. Benjamin A Armstrong ProTem Judge - Author
9. 8-Jul-2024 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)

**Court of Appeals, Division One****Criminal****1 CA-CR 24-0330****STATE v. COOK****28 PROCEEDING ENTRIES**

10. 9-Jul-2024 ORDERED: Court Reporter Coordinator Ken Crenshaw transcript(s) dated 09/22/2021, 01/10/2022, 02/07/2022, 03/03/2022, 04/04/2022, 02/27/2023, 11/16/2023 due by 08/23/2024. FURTHER ORDERED: Court Reporter Catherine Turner transcript(s) dated 04/18/2022 due by 08/23/2024. FURTHER ORDERED: Reaffirming this previously set due date of 08/05/2024 for transcripts dated 04/19/2022 [sic], 04/21/2022[sic], 04/22/2022 [sic] for Court Reporter Catherine Turner. FURTHER ORDERED: Court Reporter Scott Kindle transcript(s) dated 04/11/2022, 04/14/2022 due by 08/23/2024. FURTHER ORDERED: Court Reporter Lori Reinhardt transcript(s) dated 03/23/2022 due by 08/23/2024. Hon Randall M Howe - Author
- [AMENDED per order filed 07/10/2024]
11. 10-Jul-2024 AMENDED ORDER: Court Reporter Coordinator Ken Crenshaw transcript(s) dated 09/22/2021, 01/10/2022, 02/07/2022, 03/03/2022, 04/04/2022, 02/27/2023, 11/16/2023 due by 08/23/2024. FURTHER ORDERED: Court Reporter Catherine Turner transcript(s) dated 04/18/2022 due by 08/23/2024. FURTHER ORDERED: Court Reporter Scott Kindle transcript(s) dated 04/11/2022, 04/14/2022 due by 08/23/2024. FURTHER ORDERED: Court Reporter Lori Reinhardt transcript(s) dated 03/23/2022 due by 08/23/2024. Hon Randall M Howe - Author
12. 10-Jul-2024 FILED: Reporter's Transcript - 04/18/2022 - Jury Trial - (Catherine Turner)
13. 16-Jul-2024 FILED: Reporter's Transcript - 03/23/2022 - Trial - (Lori Reinhardt)
14. 18-Jul-2024 FILED: Procedural Motion to Reconsider (Appellant Pro Per)
15. 18-Jul-2024 FILED: Reporter's Transcript - 04/11/2022 - Trial Day 1 (Scott Kindle)
16. 18-Jul-2024 FILED: Reporter's Transcript - 04/14/2022 - Trial Day 4 (Scott Kindle)
17. 18-Jul-2024 FILED: Appellants [sic] Motion Seeking Telephonic Coleman Hearing (Appellant Pro Per)
18. 22-Jul-2024 FILED: Reporter's Transcripts - Trial on Priors/Sentencing - 06/20/2022 - (April Escobedo)
19. 25-Jul-2024 ORDERED: Staying this appeal until 08/26/2024, and revesting 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
20. 25-Jul-2024 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: 119 (Sealed)  
Exhibits: None sent with e-Record
21. 26-Jul-2024 ORDERED: Deferring a ruling on the motion for reconsideration until the superior court makes its determination pursuant to Coleman and the stay of this matter is lifted. Benjamin A Armstrong ProTem Judge - Author
22. 26-Jul-2024 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 04/18/2022 List # 1 2 3 9 10 11 13 in manila envelope
23. 28-Jul-2024 FILED: Reporter's Transcript - 04/20/2022 - Trial - Day 3 - (Hope J Yeager)
24. 28-Aug-2024 ORDERED: Granting appellant's motion for self-representation on appeal. FURTHER ORDERED: That the Maricopa County Public Defender shall remain as advisory counsel for appellant in this matter. FURTHER ORDERED: Directing court reporters Catherine Turner, Lori Reinhardt, Scott Kindle, April Escobedo, and Hope Yeager to immediately provide copies of all transcripts in this matter to advisory counsel if they have not previously done so. FURTHER ORDERED: That upon completion of the record, advisory counsel must transmit to appellant a paper copy of the record on appeal, including transcripts, and file a copy of the transmittal letter with this court within five days. Benjamin A Armstrong ProTem Judge - Author
25. 29-Aug-2024 ORDERED: Procedural Motion to Reconsider (Appellant Pro Per) = GRANTED. Benjamin A Armstrong ProTem Judge - Author
26. 29-Aug-2024 ORDERED: ORDERED: Procedural Motion to Dismiss Appeal Due to P.C.R Proceeding (Appellant Pro Per) = GRANTED and dismissing this appeal under Arizona Rule of Criminal Procedure 31.24(b). Benjamin A Armstrong ProTem Judge - Author
27. 29-Aug-2024 FILED: Letter, 08/29/2024, Certified Copy of Order dismissing appeal. Physical record returned to clerk, Maricopa County Superior Court.
28. 29-Aug-2024 FILED: Letter dated 08/29/2024, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report