

Court of Appeals, Division One

Criminal

1 CA-CR 24-0518

STATE v. VANHEEMSKERCK

Appellate Case Information

Case Filed: 17-Sep-2024

Case Closed:

Dept/Composition

Department B

Hon. Jennifer M Perkins
Hon. David D Weinzweig
Hon. Cynthia J Bailey

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorney for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

Side 2. BETTY MARIE VANHEEMSKERCK, Appellant

(Litigant Group) BETTY MARIE VANHEEMSKERCK

- Betty Marie Vanheemskerck

Attorney for: Appellant

Jill L Evans, Esq. (AZ Bar No. 15051)

CASE STATUS

May 20, 2026... Stayed (until 8/18/26)

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015CR202300376, Conspiracy to Possess Dangerous Drugs for Sale (Methamphetamine), Class 2, 15 Years, Billy K Sipe, Sentencing, JURY.

DESCENDENT CASE(S)

ASC CR-25-0351-PR

CASE DECISION

03-Dec-2025 MEMORANDUM DECISION

Jennifer Perkins.....Author
David Weinzweig.....Concur
Cynthia Bailey.....Concur

Filed: 03-Dec-2025

Mandate:

Decision Disposition

Affirmed

56 PROCEEDING ENTRIES

- 1. 17-Sep-2024 FILED: Notice of Appeal from Mohave County Superior Court filed 09/04/24 - Initial Clerk's Notice to Court Reporters filed 9/5/24
2. 17-Sep-2024 FILED: Record on Appeal: Combined Instruments/Minute Entries Disposition Report: None Digital Exhibits: Hearing Dates 7/13 - 7/20/24 - List and #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, 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, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227; Hearing Date 9/3/24 - List and #1, 2, 3, 4, 5
3. 18-Sep-2024 FILED: Appellate Clerk Notice (31.2(g))
4. 20-Sep-2024 FILED: Reporter's Transcripts - 07/18/2024 - Jury Trial- Day Three - (Kristine Valdez)
5. 24-Sep-2024 FILED: Notice of Appearance; Certificate of Service (Appellant)
6. 17-Oct-2024 FILED: Request for Extension (Court Reporter Linda Cantrell)
7. 18-Oct-2024 ORDERED: Request for Extension (Court Reporter Linda Cantrell) = GRANTED. Due Dates EXTENDED to 11/20/2024 for Transcripts dated 09/03/2024, 07/24/2024, 07/23/2024, 07/19/2024, 07/17/2024, 07/16/2024. FURTHER ORDERED: if transcripts are not filed, Court Reporter Linda Cantrell to appear on 12/4/24 at 3:00 pm to show cause why she should not be held in civil contempt and fined and/or sanctioned until the said transcripts are filed. Hon Randall M Howe - Author
8. 12-Nov-2024 FILED: Reporter's Transcript - 07/24/2024 - Jury Trial Day 6 (Linda Cantrell)

Court of Appeals, Division One**Criminal****1 CA-CR 24-0518****STATE v. VANHEEMSKERCK****56 PROCEEDING ENTRIES**

9.	12-Nov-2024	FILED: Reporter's Transcript - 09/03/2024 - Motion for New Trial/Presentencing Hearing/Judgment and Sentencing (Linda Cantrell)
10.	12-Nov-2024	FILED: Reporter's Transcript - 07/16/2024 - Jury Trial - Day 1 (Linda Cantrell)
11.	12-Nov-2024	FILED: Reporter's Transcript - 07/17/2024 - Jury Trial - Day 2 (Linda Cantrell)
12.	12-Nov-2024	FILED: Reporter's Transcript - 07/19/2024 - Jury Trial Day 4 (Linda Cantrell)
13.	12-Nov-2024	FILED: Reporter's Transcript - 07/23/2024 - Jury Trial - Day 5 (Linda Cantrell)
14.	18-Nov-2024	FILED: Notice of Completion of Record
15.	16-Dec-2024	FILED: Motion to Supplement the Record; Request for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
16.	23-Dec-2024	ORDERED: MOTION TO SUPPLEMENT THE RECORD (Appellant) = GRANTED and supplementing the record with transcripts dated 04/18/2023, 05/15/2023, 06/12/2023, 08/14/2023, 08/21/2023, 10/23/2023, 12/11/2023, 02/16/2024, 03/04/2024, 06/03/2024, 07/12/2024, 09/03/2024. FURTHER ORDERED: Directing court reporter Linda Cantrell to prepare, and Kip Anderson to arrange for the preparation of, an original and two copies of the respective transcripts and furnish one copy to appellant's counsel, one copy to appellee's counsel, and the original to the clerk of this court by 01/22/2025, marked for filing in this appeal. FURTHER ORDERED: The opening brief is due by 02-21-2025. Benjamin A Armstrong ProTem Judge - Author
17.	25-Dec-2024	FILED: Reporter's Transcript - 08/21/2023 - Status Conference (Dawn Duffey)
18.	25-Dec-2024	FILED: Reporter's Transcript - 10/23/2023 - Status Conference (Dawn Duffey)
19.	25-Dec-2024	FILED: Reporter's Transcript - 12/11/2023 - Status Conference (Dawn Duffey)
20.	25-Dec-2024	FILED: Reporter's Transcript - 03/14/2024 - Status Conference (Dawn Duffey)
21.	25-Dec-2024	FILED: Reporter's Transcript - 04/18/2023 - Initial Appearance / Arraignment (Dawn Duffey)
22.	25-Dec-2024	FILED: Reporter's Transcript - 05/15/2023 - Pretrial Conference / Motion to Amend the Indictment / Motion to Designate Complex Case (Dawn Duffey)
23.	25-Dec-2024	FILED: Reporter's Transcript - 06/12/2023 - Status Conference / Pending Motions (Dawn Duffey)
24.	25-Dec-2024	FILED: Reporter's Transcript - 08/14/2023 -Status Conference (Dawn Duffey)
25.	30-Dec-2024	FILED: Reporter's Transcript - 02/16/2024 - Settlement Conference (Kristine Valdez)
26.	14-Jan-2025	FILED: Reporter's Transcript - 06/03/2024 - Final Management Conference (Linda Cantrell)
27.	14-Jan-2025	FILED: Reporter's Transcript - 07/12/2024 - Hearing on Pending Motions (Linda Cantrell)
28.	14-Jan-2025	FILED: Reporter's Transcript - 09/03/2024 - Motion for New Trial/Presentencing Hearing/Judgment and Sentencing (Linda Cantrell) Duplicate
29.	17-Jan-2025	FILED: Reporter's Transcript - 03/04/2024 - Status Conference (Dawn Duffey)
30.	13-Feb-2025	FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
31.	13-Feb-2025	ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 02-21-2025 to Monday, 03-24-2025. The court will not grant any further extension absent a showing of new and unforeseen circumstances constituting good cause. Denise McGimsey ProTem Judge - Author
32.	18-Mar-2025	FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
33.	19-Mar-2025	ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-24-2025 to Wednesday, 04-23-2025. Denise McGimsey ProTem Judge - Author
34.	23-Apr-2025	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant) [Stricken per order filed 4/25/25]
35.	25-Apr-2025	ORDERED: Striking the opening brief filed 4/23/25. FURTHER ORDERED: appellant may file a signed replacement opening brief by 5/9/25. FURTHER ORDERED: vacating the due date for the answering brief. The due date will be reset once the replacement opening brief is filed. Denise McGimsey ProTem Judge - Author
36.	25-Apr-2025	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
37.	29-Apr-2025	FILED: Notice of Appearance; Certificate of Service (Appellee)
38.	29-Apr-2025	ORDERED: Answering brief is due by 06/09/2025. Denise McGimsey ProTem Judge - Author
39.	30-May-2025	FILED: Unopposed Motion for Procedural Order (First Request for An Extension of Time); Certificate of Service (Appellee)

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40. 30-May-2025 ORDERED: Unopposed Motion for Procedural Order (First Request for An Extension of Time) (Appellee) = GRANTED. Due date EXTENDED from Monday, 06-09-2025 to Wednesday, 07-09-2025. Denise McGimsey ProTem Judge - Author
41. 8-Jul-2025 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
42. 18-Jul-2025 FILED: Motion for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
43. 18-Jul-2025 ORDERED: Motion for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-28-2025 to Monday, 08-18-2025 Denise McGimsey ProTem Judge - Author
44. 1-Aug-2025 FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)
45. 11-Aug-2025 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
46. 18-Aug-2025 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
47. 21-Aug-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record
48. 26-Aug-2025 CLNDR: CONFERENCE, Department B, 10-7-25, COURTROOM 1.
49. 3-Dec-2025 MEMORANDUM DECISION (Affirmed) Hon Jennifer M Perkins - Author; Hon David D Weinzweig - Concur; Hon Cynthia J Bailey - Concur
50. 3-Dec-2025 FILED: Decision Distribution Notification
51. 29-Dec-2025 FILED: ASC Order filed 12/29/2025 re: granting an extension of time to file the petition for review to not[sic] later than 02/02/2026. No further extensions of time will be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by 02/02/2026.
52. 29-Jan-2026 FILED: Email Notice from ASC re: Petition for Review filed 01/28/2026; request for partial record
53. 29-Jan-2026 FILED: Letter forwarding partial record to Arizona Supreme Court
54. 6-May-2026 FILED: Letter from ASC, 5/6/26, re: Petition for Review DENIED on 5/5/26
55. 19-May-2026 FILED: Motion for Stay of Mandate Pending Application for Writ of Certiorari; Certificate of Service (Appellant)
56. 20-May-2026 ORDERED: Motion for Stay of Mandate Pending Application for Writ of Certiorari (Appellant) = GRANTED and staying the issuance of the mandate for 90 days from the issuance of this order. Hon Jennifer M Perkins - Author