

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 24-0578

STATE v. HERNANDEZ

Appellate Case Information

Case Filed: 18-Oct-2024
Case Closed:

Dept/Composition

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. MOISES SANCHEZ HERNANDEZ, Appellant

(Litigant Group) MOISES SANCHEZ HERNANDEZ

- Moises Sanchez Hernandez

Attorneys for: Appellant

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

CASE STATUS

Apr 13, 2026....At Issue

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2024-007073-001, See File, See File, Michael S Mandell, Sentencing, JURY

60 PROCEEDING ENTRIES

- 1. 18-Oct-2024 FILED: Notice of Appeal from Maricopa County Superior Court filed 10/11/24 - Notification to Court Reporters dated 10/17/24
2. 21-Oct-2024 FILED: Appellate Clerk Notice (31.2(g))
3. 23-Oct-2024 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court reporters Debra Upham, Treva Colwell, Robin Lawlor, and Colleen McCarty, transcripts due by 12/06/2024. Benjamin A Armstrong ProTem Judge - Author
4. 28-Oct-2024 FILED: Reporter's Transcript - 08/29/2024 - Jury Trial Day 4 (Colleen McCarty)
5. 1-Nov-2024 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)
6. 4-Nov-2024 FILED: Returned US Mail, Order regarding Counsel and Transcripts dated 10/23/2024, addressed to Moises Hernandez, No ADCRR Number (Resent 11/08/2024)
7. 6-Nov-2024 ORDERED: Ken Crenshaw transcript(s) dated 06/05/2024, 06/27/2024, 07/19/2024, 07/25/2024, 08/14/2024, and 08/22/2024 due by 12/23/2024. FURTHER ORDERED: Court Reporter Robin Lawlor transcript(s) dated 08/26/2024 due by 12/23/2024. FURTHER ORDERED: Reaffirming this previously set due date of 12/06/2024 for transcripts dated 08/27/2024, and 09/04/2024 for Court Reporter Robin Lawlor. Hon Randall M Howe - Author
8. 12-Nov-2024 FILED: Reporter's Transcript - 10/11/2024 - Sentencing (Debra K. Upham)
9. 22-Nov-2024 FILED: Record on Appeal: Combined Instruments/Minute Entries Disposition Report: #121, Filed 10/24/24
10. 22-Nov-2024 FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 01/11/2024 List # 1 2 4 5 6 9 10 11 13 19 20 21 22 23 24 25 26 27 28 33 34 35 36 40 44 45 46 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope Additional Record on Appeal Physical Exhibits: Indictment and Grand Jury (SEALED) Hearing Date: none Non-admitted Exhibits: none
11. 25-Nov-2024 FILED: Reporter's Transcript - 08/26/2024 - Jury Trial Day 1 (Robin Lawlor)
12. 25-Nov-2024 FILED: Reporter's Transcript - 08/27/2024 - Jury Trial Day 2 (Robin Lawlor)
13. 25-Nov-2024 FILED: Reporter's Transcript - 09/04/2024 - Jury Trial Day 6 (Robin Lawlor)
14. 2-Dec-2024 FILED: Reporter's Transcript - 08/28/2024 - Trial Day 3 (Treva B. Colwell)
15. 2-Dec-2024 FILED: Reporter's Transcript - 09/03/2024 - Trial Day 5 (Treva B. Colwell)

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16. 2-Dec-2024 FILED: Reporter's Transcript - 09/05/2024 - Trial Day 7 (Treva B. Colwell)
17. 18-Dec-2024 FILED: Reporter's Transcript - 06/05/2024 - Not Guilty Arraignment (Kimberly C. McCright)
18. 18-Dec-2024 FILED: Reporter's Transcript - 06/27/2024 - Status Conference (Kimberly C. McCright)
19. 18-Dec-2024 FILED: Reporter's Transcript - 07/19/2024 - Settlement Conference (Kimberly C. McCright)
20. 18-Dec-2024 FILED: Reporter's Transcript - 07/25/2024 - Continuance (Kimberly C. McCright)
21. 18-Dec-2024 FILED: Reporter's Transcript - 08/14/2024 - Trial Procedure Conference (Kimberly C. McCright)
22. 18-Dec-2024 FILED: Reporter's Transcript - 08/22/2024 - Status Conference (Kimberly C. McCright)
23. 24-Dec-2024 FILED: Notice of Completion of Record
24. 30-Dec-2024 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
25. 2-Jan-2025 FILED: Notice of Appearance; Certificate of Service (Appellant)
26. 6-Jan-2025 ORDERED: Motion to Withdraw and Substitute New Counsel; (Appellant) = GRANTED and appointing attorney Alane Ortega as attorney for appellant in this appeal. FURTHER ORDERED: 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 from Friday, 02-07-2025 to Monday, 03-24-2025. Benjamin A Armstrong ProTem Judge - Author
27. 24-Mar-2025 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
28. 25-Mar-2025 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-24-2025 to Thursday, 04-03-2025 Denise McGimsey ProTem Judge - Author
29. 2-Apr-2025 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
30. 2-Apr-2025 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 04-03-2025 to Friday, 04-18-2025 Denise McGimsey ProTem Judge - Author
31. 18-Apr-2025 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
32. 18-Apr-2025 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 04-18-2025 to Monday, 04-28-2025 Denise McGimsey ProTem Judge - Author
33. 28-Apr-2025 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
34. 28-Apr-2025 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-28-2025 to Wednesday, 05-28-2025. Denise McGimsey ProTem Judge - Author
35. 28-May-2025 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
36. 29-May-2025 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 05-28-2025 to Wednesday, 06-11-2025. Denise McGimsey ProTem Judge - Author
37. 11-Jun-2025 FILED: Appellant's Memorandum; Certificate of Compliance; Certificate of Service (Appellant)
38. 12-Jun-2025 ORDERED: Allowing appellant to file supplemental brief in propria persona. FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG. FURTHER ORDERED: Appellant may raise additional points on/before 7/22/25. FURTHER ORDERED: Answering brief to await court order. Denise McGimsey ProTem Judge - Author
39. 17-Jul-2025 FILED: Motion to Extend Time for Filing Brief (Appellant Pro Per)
40. 18-Jul-2025 ORDERED: Motion to Extend Time for Filing Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Tuesday, 07-22-2025 to Friday, 08-22-2025 Denise McGimsey ProTem Judge - Author
41. 31-Jul-2025 FILED: Notice of Filing Transmittal Letter; Certificate of Service (Appellant)
42. 29-Aug-2025 FILED: Motion to Extend Time for Filing Brief (Appellant Pro Per)
43. 2-Sep-2025 ORDERED: Motion to Extend Time for Filing Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Friday, 08-22-2025 to Monday, 09-29-2025 Denise McGimsey ProTem Judge - Author
44. 2-Oct-2025 FILED: Motion to Extend Time for Filing Brief "Expedited Ruling Requested" (Appellant Pro Per)
45. 3-Oct-2025 ORDERED: Motion to Extend Time for Filing Brief "Expedited Ruling Requested" (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 09-29-2025 to Wednesday, 10-29-2025. FURTHER ORDERED: Denying the motion to supplement the record with documents that are not already included in the record on appeal. Denise McGimsey ProTem Judge - Author
46. 3-Nov-2025 FILED: Motion to Extend Time When Opening Brief is Due (Appellant Pro Per)

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47. 3-Nov-2025 FILED: Appellant Motion to Supplement the Record on Appeal (Appellant Pro Per)
48. 4-Nov-2025 ORDERED: Appellant Motion to Supplement the Record on Appeal (Appellant Pro Per) = GRANTED and supplementing the record on appeal by including the following records from State v Moises Sanchez Hernandez, Maricopa County Superior Court Case No. CR2020-002009-001: (1) Indictman filed 11/10/2020; (2) Transcript 11/10/2020, Grand Jury Proceedings filed 11/30/2020. FURTHER ORDERED: Directing the Clerk of the Maricopa County Superior Court to forward to this court by 11/18/2025, certified copies of the items described above. FURTHER ORDERED: Motion to Extend Time When Opening Brief is Due (Appellant Pro Per) = GRANTED. Due date EXTENDED from Wednesday, 10-29-2025 to Monday, 12-01-2025 Denise McGimsey ProTem Judge - Author
49. 12-Nov-2025 FILED: Additional Record on Appeal  
Physical Exhibits: Indictment and Grand Jury (SEALED)  
Hearing Date: none  
Non-admitted Exhibits: none
50. 10-Dec-2025 FILED: Motion to Extend Time When Opening Brief is Due (Appellant Pro Per)
51. 11-Dec-2025 ORDERED: Motion to Extend Time When Opening Brief is Due (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 12-01-2025 to Monday, 02-09-2026 Denise McGimsey ProTem Judge - Author
52. 9-Feb-2026 FILED: Motion to Extend Time When Opening Brief is Due (Appellant Pro Per)
53. 10-Feb-2026 ORDERED: Motion to Extend Time When Opening Brief is Due (Appellant Pro Per) = GRANTED. Upon presentation of this order, unsealing the 11/10/2020 grand jury proceedings which was filed under seal in this court on 1/12/2025, for parties/agents for this appeal only. FURTHER ORDERED: That after the parties or counsel complete the inspection and/or copying of these documents, the clerk of this court shall reseal the document. FURTHER ORDERED: Directing counsel Alane Ortega to promptly obtain and send paper copies of the 11/10/2020, Indictment and 11/10/2020, transcript of grand jury proceedings, both from Maricopa County Superior Court Case No. CR2020-002209-001 and filed in this court on 11/12/2025, to appellant. FURTHER ORDERED: Directing counsel Alane Ortega to file with this court by 03/12/2026, a copy of the transmittal letter to appellant specifying what documents were sent and when. Due date EXTENDED from Monday, 02-09-2026 to Monday, 04-13-2026 for supplemental opening brief. Denise McGimsey ProTem Judge - Author
54. 25-Feb-2026 FILED: Notice of Filing Transmittal Letter; Certificate of Service (Appellant)
55. 20-Apr-2026 FILED: Certificate of Mailing re: "Expedited Ruling Requested"
56. 20-Apr-2026 FILED: Expedited Ruling Requested (Motion to Extend Due Date) (Appellant Pro Per)
57. 21-Apr-2026 ORDERED: Expedited Ruling Requested (Motion to Extend Due Date) (Appellant Pro Per) = DENIED. FURTHER ORDERED: That if the court does not receive a supplemental opening brief from appellant personally by 05/04/2026, the court will deem the appeal submitted solely on the basis of the record and the opening brief filed in accordance with Anders v. California, 386 U.S. 738 (1967), and State v. Leon, 104 Ariz. 297 (1969). Denise McGimsey ProTem Judge - Author
58. 4-May-2026 FILED: Returned US Mail, Certificate of Mailing dated 04/20/2026, addressed to Moises Sanchez Hernandez, Return to Sender/Vacant(Resent 05/06/2026)
59. 5-May-2026 FILED: Returned US Mail, Order Denying Request for Extension dated 04/21/2026, addressed to Moises Sanchez Hernandez, Refused (Not Resent)
60. 19-May-2026 FILED: Returned US Mail, Certificate of Mailing re: "Expedited Ruling Requested" dated 04/20/2026, addressed to Moises Sancehz Hernandez, No such number unable to forward (Not Resent)