

Court of Appeals, Division One

Criminal

1 CA-CR 24-0594

STATE v. CASTLEBERRY

Appellate Case Information

Case Filed: 29-Oct-2024

Case Closed:

Dept/Composition

Department E

Hon. Michael J Brown
Hon. Veronika Fabian
Hon. David D Weinzweig

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorney for: Appellee

Joseph E Begun, Esq. (AZ Bar No. 40208)

Side 2. WHITNEY LEE CASTLEBERRY, Appellant

(Litigant Group) WHITNEY LEE CASTLEBERRY

- Whitney Lee Castleberry

Attorney for: Appellant

Michelle DeWaelche, Esq. (AZ Bar No. 30626)

CASE STATUS

Mar 26, 2026....Under Advisement

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2021-120110-001, Murder 2nd Deg-Knowing, Class 1, 15 Years, Sam J Myers, Sentencing, JURY.

CALENDAR

Calendar entry for Thursday 26-Mar-2026, Department E; COURTROOM 1, 10:15 AM. Includes case name WHITNEY LEE CASTLEBERRY and STATE OF ARIZONA with 20 mins duration.

63 PROCEEDING ENTRIES

- List of 16 proceeding entries with dates and descriptions, including 'FILED: Courtesy Copy of Notice of Appeal...', 'FILED: Reporter's Transcript...', and '[STRICKEN per order filed 03/10/2025]'.

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17.	5-Dec-2024	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 07/18/2024 List # 16 17 20 21 22 23 24 27 33 34 35 36 37 38 39 40 41 42 43 45 49 52 53 54 56 58 60 62 68 71 73 75 80 81 82 83 84 85 86 87 88 100 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope
18.	6-Dec-2024	FILED: Reporter's Transcript - 7/18/2024 - Trial Day 1 (Jennifer Church)
19.	6-Dec-2024	FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 258 Digital Exhibits: None sent with e-Record
20.	8-Dec-2024	FILED: Reporter's Transcript - 07/30/2024 - Jury Trial Day 7 (Robin Lawlor)
21.	8-Dec-2024	FILED: Reporter's Transcript - 08/19/2024 - Jury Trial Day 12 (Robin Lawlor)
22.	8-Dec-2024	FILED: Reporter's Transcript - 08/20/2024 - Jury Trial Day 13 (Robin Lawlor)
23.	8-Dec-2024	FILED: Reporter's Transcript - 07/22/2024 - Jury Trial Day 2 (Robin Lawlor)
24.	8-Dec-2024	FILED: Reporter's Transcript - 07/24/2024 - Jury Trial Day 4 (Robin Lawlor)
25.	8-Dec-2024	FILED: Reporter's Transcript - 07/25/2024 - Jury Trial Day 5 - Afternoon Session (Robin Lawlor)
26.	8-Dec-2024	FILED: Reporter's Transcript - 07/29/2024 - Jury Trial Day 6 (Robin Lawlor)
27.	10-Dec-2024	FILED: Reporter's Transcript - 07/29/2024 - Trial Minute Entry Day 6 (Carlotta Barr-Smith)
28.	16-Dec-2024	ORDERED: Court Reporter Michele Kaley OSC set on 01/15/2025 for transcript(s) dated 07/25/2024. Hon Randall M Howe - Author
29.	1-Jan-2025	FILED: Reporter's Transcript - 07/25/2024 - Trial (Michele Kaley)
30.	2-Jan-2025	FILED: Notice of Completion of Record
31.	5-Feb-2025	FILED: Unopposed Motion to Extend Time to File Opening Brief (First Request); Certificate of Service - Unopposed Motion to Extend Time to File Opening Brief (First Request) (Appellant)
32.	5-Feb-2025	ORDERED: Unopposed Motion to Extend Time to File Opening Brief (First Request) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 02-18-2025 to Thursday, 03-20-2025. Denise Lee McGimsey ProTem Judge - Author
33.	3-Mar-2025	FILED: Appellant's Motion to Strike Incomplete Transcripts; Appellant's Motion to Order Completed Transcripts; Certificate of Service (Appellant)
34.	10-Mar-2025	ORDERED: Appellant's Motion to Strike Incomplete Transcripts (Appellant) = GRANTED and striking the following transcripts: 07/17/2024, transcribed by Dwight Terry, and 08/09/2024, transcribed by Susan Egbert. FURTHER ORDERED: Directing Ken Crenshaw to arrange for the preparation of an original and two copies of the above described transcripts by 04/09/2025. Denise McGimsey ProTem Judge - Author
35.	13-Mar-2025	FILED: Appellant's Motion for Clarification of March 10, 2025 Order Striking Incomplete Transcripts and Directing Preparation of Complete Transcripts (Motion for Procedural Order); Certificate of Service - Appellant's Motion for Clarification of March 10, 2025 Order Striking Incomplete Transcripts and Directing Preparation of Complete Transcripts (Appellant)
36.	14-Mar-2025	ORDERED: Appellant's Motion for Clarification of 03/10/2025 Order Striking Incomplete Transcripts and Directing Preparation of Complete Transcripts (Motion for Procedural Order) (Appellant) = The opening brief is due by 05/09/2025. Denise McGimsey ProTem Judge - Author
37.	28-Mar-2025	FILED: Reporter's Transcript - 07/17/2024 - Trial Procedure Conference (edited) (Dwight Terry)
38.	28-Mar-2025	FILED: Reporter's Transcript - 08/09/2024 - Oral Argument Under Advisement (edited) (Susan Egbert)
39.	30-Apr-2025	FILED: Unopposed Motion to Extend Time to File Opening Brief (Second Request); Certificate Of Service – Unopposed Motion To Extend Time To File Opening Brief (Second Request) (Appellant)
40.	30-Apr-2025	ORDERED: Unopposed Motion to Extend Time to File Opening Brief (Second Request) (Appellant) = GRANTED. Due date EXTENDED from Friday, 05-09-2025 to Friday, 05-23-2025. Denise McGimsey ProTem Judge - Author
41.	23-May-2025	FILED: Appellant's Opening Brief; Certificate of Compliance- Appellant's Opening Brief; Certificate of Service- Appellant's Opening Brief (Appellant)
42.	30-May-2025	FILED: Notice of Appearance; Certificate of Service (Appellee)
43.	25-Jun-2025	FILED: Motion for Procedural Order (Extension of Time to File Answering Brief); Certificate of Service (Appellee)

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44. 25-Jun-2025 ORDERED: Motion for Procedural Order (Extension of Time to File Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 07-07-2025 to Wednesday, 08-06-2025 Denise McGimsey ProTem Judge - Author
45. 1-Aug-2025 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
46. 12-Aug-2025 FILED: Motion to Stay Briefing Deadline (Motion for Procedural Order); Certificate of Service - Motion to Stay Briefing Deadline (Motion for Procedural Order) (Appellant)
47. 15-Aug-2025 ORDERED: Motion to Stay Briefing Deadline (Motion for Procedural Order) (Appellant) = GRANTED. FURTHER ORDERED: That briefing is stayed until 10/14/2025. The stay will lift automatically 10/15/2025, unless the Arizona Supreme Court files an opinion in State v. Brown, CR-24-0143-PR, or a party moves to extend the stay, before then. FURTHER ORDERED: Directing appellant to notify this court when an opinion is filed in State v. Brown, CR-24-0143-PR. FURTHER ORDERED: The reply brief is due by 11/14/2025. The due date will be adjusted if the stay is lifted before, or extended beyond, 10/15/2025. Hon Randall M Howe - Author
48. 10-Sep-2025 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
49. 19-Sep-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record
50. 7-Oct-2025 FILED: Notice of Arizona Supreme Court Opinion Filing (Procedural Motion); Certificate of Service - Notice of Arizona Supreme Court Opinion Filing (Procedural Motion) (Appellant)
51. 8-Oct-2025 ORDERED: Lifting the stay effective immediately. FURTHER ORDERED: The reply brief remains due by 11/14/2025. Denise McGimsey ProTem Judge - Author
52. 12-Nov-2025 FILED: Appellant's Reply Brief; Certificate of Compliance- Appellant's Reply Brief; Certificate of Service- Appellant's Reply Brief (Appellant)
53. 13-Nov-2025 FILED: Notice of Substitution of Counsel Within The Office of The Legal Advocate; Certificate of Service (Appellant)
54. 21-Nov-2025 FILED: Unopposed Motion for Procedural Order (Leave to File Surreply); Certificate of Service; Exhibit A (Appellee's Surreply) (Appellee)
55. 25-Nov-2025 CLNDR: CONFERENCE, Department E, 1-22-26, COURTROOM 1.
56. 7-Jan-2026 ORDERED: Unopposed Motion for Procedural Order (Leave to File Surreply) (Appellee) = GRANTED and accepting appellee's surreply as filed. Hon Michael J Brown - Author
57. 23-Jan-2026 ORDERED: Setting oral argument in this matter on Thursday, 02/19/2026, at 10:15 a.m. FURTHER ORDERED: Counsel shall be prepared to address the following issues at oral argument: [See Order]. Hon Michael J Brown - Author
58. 28-Jan-2026 FILED: Unopposed Motion for Procedural Order (Reschedule Date of Oral Argument); Certificate of Service (Appellee)
59. 29-Jan-2026 ORDERED: Unopposed Motion for Procedural Order (Reschedule Date of Oral Argument) (Appellee) = GRANTED, and vacating the oral argument set for 02/19/2026. FURTHER ORDERED: Setting oral argument in this matter on Thursday, 03/26/2026, at 10:15 a.m. in Courtroom 1, State Courts Building, 1501 W. Washington St., Phoenix, AZ. Counsel shall be prepared to address the issues listed in the Court's order of January 23, 2026 at oral argument. Hon Michael J Brown - Author
60. 4-Feb-2026 FILED: Return Receipt for Notice of Oral Argument, signed by Michelle DeWaelsche on 01/29/2026 (Appellant)
61. 9-Feb-2026 FILED: Return Receipt for Notice of Oral Argument (Appellee)
62. 18-Mar-2026 FILED: Notice of Supplemental Authority; Certificate of Service (Appellee)
63. 27-Mar-2026 FILED: Sign-in Sheet/Case is Under Advisement as of 03/26/2026