

Court of Appeals, Division One

Criminal

1 CA-CR 24-0682

STATE v. STEMPEL

Appellate Case Information

Case Filed: 24-Dec-2024

Case Closed:

Dept/Composition

Department A

Hon. Samuel A Thumma
Hon. Andrew J Becke
Hon. Kent E Cattani

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorney for: Appellee

Joseph Newberg, Esq. (AZ Bar No. 40234)

Side 2. BRETT STEVEN STEMPEL, Appellant

(Litigant Group) BRETT STEVEN STEMPEL

- Brett Steven Stempel

Co-Counsel for: Appellant

Lawrence S Koplow, Esq. (AZ Bar No. 19853)
Rhonda Elaine Neff, Esq. (AZ Bar No. 29773)
John D Penner, Esq. (AZ Bar No. 14597)

CASE STATUS

Apr 7, 2026.....Under Advisement

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2020-146335-001, Murder 2nd Deg-Ext Indiffrenc, Class 1; Endangerment, Misdemeanor, 17 Years; 70 Days, Justin Beresky, Pro Tem, JURY

CALENDAR

Calendar entry for Tuesday 7-Apr-2026, MONTHLY COURT CASE CALENDAR, Department A; COURTROOM 2, 9:30 AM, BRETT STEVEN STEMPEL, STATE OF ARIZONA, 20 mins.

70 PROCEEDING ENTRIES

- 1. 24-Dec-2024 FILED: Notice of Appeal from Maricopa County Superior Court filed 12/17/24 - Notification to Court Reporters dated 12/23/24
2. 26-Dec-2024 FILED: Appellate Clerk Notice (31.2(g))
3. 30-Dec-2024 ORDERED: Court Reporters Lori D. Reinhardt, Monica S. Hill-Morrisette, Debra Carney, Colleen McCarty, Lisa A. Bradley, Robin G. Lawlor, Nicole Tatlow, and Luz E. Franco transcripts due 02/13/2025. Benjamin A Armstrong ProTem Judge - Author
... 9. 30-Jan-2025 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 276 Digital Exhibits: None sent with e-Record

Court of Appeals, Division One**Criminal****1 CA-CR 24-0682****STATE v. STEMPEL****70 PROCEEDING ENTRIES**

10. 4-Feb-2025 ORDERED: Appellant's Motion to Expand the Record to Include Additional Transcript Requests (Appellant) = GRANTED and supplementing the record with the following transcripts dated 06/08/2021, 04/13/2022, 07/28/2022, 12/02/2022, 01/06/2023, 02/21/2023, 05/15/2023, 12/19/2023, 01/08/2024, 07/19/2024, 08/29/2024, 09/04/2024, 09/05/2024, 09/11/2024, 09/12/2024, 09/18/2024, 09/23/2024, 09/24/2024, 09/25/2024. FURTHER ORDERED: The court will take no action on the following three transcript requests because the superior court record does not show the proceeding requested by appellant: (1) a Case Management Conference held before the Honorable Frank W. Moskowitz on 06/11/2022, (2) an Oral Argument held before the Honorable Jeffrey A. Rueter on 08/11/2022, and (3) a Master Calendar proceeding held before the Honorable Suzanne E. Cohen on 01/09/2024. FURTHER ORDERED: Directing court reporters Kristyn Lobry, Luz Franco, Robin Lawlor, Lisa Bradley, Colleen McCarty, and Debra Carney to prepare, and Ken Crenshaw to arrange for the preparation of, an original and two copies of the respective transcripts and to furnish one copy to appellant's counsel, one copy to appellee's counsel, and the original to the clerk of this court by 03/07/2025, marked for filing in this appeal. Denise Lee McGimsey ProTem Judge - Author
- [Amended per order filed 02/06/2025]
11. 6-Feb-2025 AMENDED ORDER: Appellant's Motion to Expand the Record to Include Additional Transcript Requests (Appellant) = GRANTED and supplementing the record with the following transcripts dated 06/08/2021, 04/13/2022, 07/28/2022, 12/02/2022, 01/06/2023, 02/21/2023, 05/15/2023, 12/19/2023, 01/08/2024, 07/19/2024, 08/29/2024, 09/04/2024, 09/05/2024, 09/11/2024, 09/12/2024. FURTHER ORDERED: The court will take no action on the following three transcript requests because the superior court record does not show the proceeding requested by appellant: (1) a Case Management Conference held before the Honorable Frank W. Moskowitz on 06/11/2022, (2) an Oral Argument held before the Honorable Jeffrey A. Rueter on 08/11/2022, and (3) a Master Calendar proceeding held before the Honorable Suzanne E. Cohen on 01/09/2024. FURTHER ORDERED: The court will take no action on the transcript requests for trial proceedings on 09/18/2024, 09/23/2024, 09/24/2024, or 09/25/2024 because those transcripts have already been filed or directed to be prepared. FURTHER ORDERED: Directing court reporters Kristyn Lobry and Luz Franco to prepare, and Ken Crenshaw transcripts by 03/07/2025. Denise Lee McGimsey ProTem Judge - Author
- [Amended per order filed 02/07/2025]
12. 7-Feb-2025 AMENDED ORDER: Appellant's Motion to Expand the Record to Include Additional Transcript Requests (Appellant) = GRANTED and supplementing the record with the following transcripts dated 06/08/2021, 04/13/2022, 07/28/2022, 12/02/2022, 01/06/2023, 02/21/2023, 05/15/2023, 12/19/2023, 01/08/2024, 07/19/2024, 08/29/2024, 09/04/2024, 09/05/2024, 09/11/2024, 09/12/2024. FURTHER ORDERED: The court will take no action on the following three transcript requests because the superior court record does not show the proceeding requested by appellant: (1) a Case Management Conference held before the Honorable Frank W. Moskowitz on 06/11/2022, (2) an Oral Argument held before the Honorable Jeffrey A. Rueter on 08/11/2022, and (3) a Master Calendar proceeding held before the Honorable Suzanne E. Cohen on 01/09/2024. FURTHER ORDERED: The court will take no action on the transcript requests for trial proceedings on 09/18/2024, 09/23/2024, 09/24/2024, or 09/25/2024 because those transcripts have already been filed or directed to be prepared. FURTHER ORDERED: Directing court reporters Kristyn Lobry and Luz Franco, and Ken Crenshaw transcripts due by 03/07/2025. Denise Lee McGimsey ProTem Judge - Author
13. 10-Feb-2025 FILED: Reporter's Transcript - 09/25/2024 - Trial Day 8 (Debra Carney)
14. 10-Feb-2025 FILED: Request for Extension of Time to File Transcript (Nicole Tatlow)
15. 11-Feb-2025 FILED: Reporter's Transcript - 09/11/2024 AM Session - Trial (Discussion of Questionnaires - Not Concluded) (Luz Franco)
16. 11-Feb-2025 FILED: Reporter's Transcript - 09/12/2024 - Trial (Voir Dire Continuing) - (Luz Franco)
17. 11-Feb-2025 FILED: Reporter's Transcript - 09/16/2024 - Trial (Continuing) (Luz Franco)
18. 12-Feb-2025 FILED: Reporter's Transcript - 09/19/2024 (Lori Reinhardt)
19. 12-Feb-2025 FILED: Reporter's Transcript - 12/06/2024 (Lori Reinhardt)
20. 12-Feb-2025 ORDERED: Request for Extension of Time to File Transcript (Nicole Tatlow) = GRANTED. Due date EXTENDED from Thursday, 02/13/2025 to Monday, 03/17/2025 for transcript dated 09/17/2024 or OSC set on 03/19/2025. Hon Randall M Howe - Author
21. 14-Feb-2025 FILED: Reporter's Transcript - 09/30/2024 - Jury Trial (Monica S Hill-Morrisette)
22. 7-Mar-2025 FILED: Reporter's Transcript - 06/08/2021 - Settlement Conference (Kristyn Lobry)
23. 12-Mar-2025 FILED: Reporter's Transcript - 09/17/2024 - Trial Day 3 (Nicole Tatlow)
24. 18-Mar-2025 ORDERED: Ken Crenshaw Transcripts dated 04/13/2022; 07/28/22; 12/02/2022; 01/06/2023; 02/21/2023; 05/15/2023; 12/19/2023; 01/08/2024; 07/19/2024; 08/29/2024; 09/04/2024; 09/05/2024 or OSC set on 04/02/2025. Hon Randall M Howe - Author
25. 1-Apr-2025 FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw)
26. 2-Apr-2025 ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 04/07/2025 for Transcripts dated 04/13/2022, 07/28/2022, 12/02/2022, 01/06/2023, 02/21/2023, 05/15/2023, 12/19/2023, 01/08/2024, 07/19/2024, 08/29/2024, 09/05/2024, 09/04/2024 or OSC set on 04/16/2025. FURTHER ORDERED: Vacating the OSC set for 04/02/2025. Hon Randall M Howe - Author
27. 9-Apr-2025 FILED: Reporter's Transcript - 08/29/2024 - Final Trial Management Conference (Dwight Terry)
28. 9-Apr-2025 FILED: Reporter's Transcript - 09/04/2024 - Trial Assignment (Kristen Keegan)
29. 14-Apr-2025 FILED: Reporter's Transcript - 12/02/2022 - Evidentiary Hearing - Continued (Jan Penfield)

Court of Appeals, Division One**Criminal****1 CA-CR 24-0682****STATE v. STEMPEL****70 PROCEEDING ENTRIES**

30.	14-Apr-2025	FILED: Reporter's Transcript - 07/28/2022 - Hearing - Trial Continued Past Last Day (Jan Penfield)
31.	14-Apr-2025	FILED: Reporter's Transcript - 07/17/2024 [sic] - Minute Entry (Kristen Keegan)
32.	14-Apr-2025	FILED: Reporter's Transcript - 09/05/2024 - Trial Management Conference (Dwight Terry)
33.	14-Apr-2025	FILED: Reporter's Transcript - 12/19/2023 - Final Trial Management Conference (Rita Peluso & Dwight Terry)
34.	14-Apr-2025	FILED: Reporter's Transcript - 04/13/2022- Trial Continuance Past the Last Day (Complex Case) (Kanchan Mutreja)
35.	15-Apr-2025	FILED: Reporter's Transcript - 07/19/2024 - Minute Entry (Kristen Keegan)
36.	15-Apr-2025	FILED: Motion to Extend Time to File Transcripts (Ken Crenshaw)
37.	16-Apr-2025	ORDERED: Motion to Extend Time to File Transcripts (Ken Crenshaw) = GRANTED. Due Dates EXTENDED to 04/18/2025 for Transcripts dated 01/06/2023, 02/21/2023, 05/15/2023, 01/08/2024 or OSC set on 05/07/2025. Hon Randall M Howe - Author
38.	16-Apr-2025	FILED: Reporter's Transcript - 01/06/2023 - Evidentiary Hearing (Kanchan Mutreja)
39.	16-Apr-2025	FILED: Reporter's Transcript - 01/08/2024 - Trial Assignment Date Reset (Kanchan Mutreja)
40.	16-Apr-2025	FILED: Reporter's Transcript - 05/15/2023 - Status Conference (Kanchan Mutreja)
41.	17-Apr-2025	FILED: Reporter's Transcript - 02/21/2023 - Trial Continuance/Matter Under Advisement (Kanchan Mutreja)
42.	22-Apr-2025	FILED: Notice of Completion of Record
43.	12-May-2025	FILED: Appellant's Request to Schedule a Management Conference for Lengthy/Complex Appeal; Certificate of Service (Appellant)
44.	23-May-2025	ORDERED: Appellant's Request to Schedule a Management Conference for Lengthy/Complex Appeal (Appellant) = DENIED. FURTHER ORDERED: Directing the parties to meet, confer, and then file a proposed briefing schedule by 06/23/2025. FURTHER ORDERED: Vacating the 06/06/2025 due date for the opening brief. Hon David B Gass - Author
45.	9-Jun-2025	FILED: Appellant's Second Motion to Expand the Record to Include Additional Transcript Request; Certificate of Service (Appellant)
46.	13-Jun-2025	ORDERED: Appellant's Second Motion to Expand the Record to Include Additional Transcript Request (Appellant) = GRANTED and directing court reporter Tara Kramer to prepare an original and two copies of the transcript of the Status Conference held in the afternoon (1:29 p.m. to 2:06 p.m.) on 09/11/2024, and to furnish one copy to appellant's counsel, one copy to appellee's counsel, and the original to the clerk of this court by 07/14/2025, marked for filing in this appeal. Denise McGimsey ProTem Judge - Author
47.	23-Jun-2025	FILED: Joint Proposed Briefing Scheduling; Certificate of Service (Appellant)
48.	25-Jun-2025	ORDERED: Accepting the proposed schedule and setting the following due dates: (1) Appellant's opening brief is due by 09/30/2025; (2) Appellee's answering brief is due by 12/05/2025; and (3) Appellant's reply brief, if any, is due by 01/16/2026. FURTHER ORDERED: Based on Division One Administrative Order 2020-03, absent a showing of actual and substantial good cause upon new and unforeseeable circumstances, the court will not grant extensions to the briefing schedule. Hon David B Gass - Author
49.	26-Jun-2025	FILED: Reporter's Transcript - 09/11/2024 - Status Conference (Tara L. Kramer)
50.	10-Sep-2025	FILED: Appellant's Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
51.	11-Sep-2025	ORDERED: Appellant's Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from 09/30/2025 to 10/14/2025. FURTHER ORDERED: The answering brief must be filed by 12/19/2025. FURTHER ORDERED: Any reply brief must be filed by 01/30/2025 [sic]. Denise McGimsey ProTem Judge - Author
52.	14-Oct-2025	FILED: Appellant's Opening Brief (Oral Argument Requested); Certificate of Compliance; Certificate of Service (Appellant)
53.	17-Oct-2025	FILED: Motion for Procedural Order I Notice of Errata Re: Formatting; Certificate of Service; Appellant's Opening Brief (Oral Argument Requested); Order Re: Motion for Procedural Order Notice of Errata Re: Formatting (Proposed) (Appellant)
54.	20-Oct-2025	FILED: Notice of Appearance; Certificate of Service (Appellee)
55.	24-Oct-2025	ORDERED: Motion for Procedural Order I Notice of Errata Re: Formatting (Appellant) = GRANTED and accepting the substitute opening brief filed on 10/17/2025, place of the brief filed on 10/14/2025. Denise McGimsey ProTem Judge - Author
56.	12-Dec-2025	FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
57.	12-Dec-2025	ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Friday, 12-19-2025 to Tuesday, 01-20-2026 Denise McGimsey ProTem Judge - Author
58.	20-Jan-2026	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)

Court of Appeals, Division One

Criminal

1 CA-CR 24-0682

STATE v. STEMPEL

70 PROCEEDING ENTRIES

59.	30-Jan-2026	FILED: Appellant's Unopposed Motion for Extension of Time to File Reply to Appellee's Answering Brief; Certificate of Service (Appellant)
60.	30-Jan-2026	ORDERED: Appellant's Unopposed Motion for Extension of Time to File Reply to Appellee's Answering Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-09-2026 to Wednesday, 03-11-2026 Denise McGimsey ProTem Judge - Author
61.	6-Feb-2026	ORDERED: Appellant's Opening Brief (ORAL ARGUMENT REQUESTED)(Appellant) = GRANTED. Hon Randall M Howe - Author
62.	25-Feb-2026	CLNDR: MONTHLY COURT CASE CALENDAR, Department A, 4-7-26, 09:30 am, COURTROOM 2.
63.	5-Mar-2026	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
64.	9-Mar-2026	FILED: Notice of Oral Argument
65.	11-Mar-2026	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
66.	13-Mar-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
67.	20-Mar-2026	FILED: Return Receipt for Notice of Oral Argument signed by Lawrence Koplow (Appellant)
68.	25-Mar-2026	FILED: Return Receipt for Notice of Oral Argument signed by Joseph Newberg II (Appellee)
69.	6-Apr-2026	FILED: Notice of Appearance; Certificate of Service (Appellee)
70.	8-Apr-2026	FILED: Sign-in Sheet/Case is Under Advisement as of 04/07/2026