

Court of Appeals, Division One

Criminal

1 CA-CR 24-0684

STATE v. WHITESIDE

Appellate Case Information

Case Filed: 26-Dec-2024

Case Closed:

Dept/Composition

Department D

Hon. Daniel J Kiley
Hon. D Steven Williams
Hon. Cynthia J Bailey

Consolidated with: 1 CA-CR 24-0683 1 CA-CR 24-0685 1 CA-CR 24-0688

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona, Appellant

Attorneys for: Appellee

Gracynthia Claw, Esq. (AZ Bar No. 30265)

Side 2. DINARR ANTWAIN WHITESIDE, Appellant

(Litigant Group) DINARR ANTWAIN WHITESIDE

- Dinarr Antwain Whiteside, Appellee

Attorneys for: Appellant

Randal Boyd McDonald, Esq. (AZ Bar No. 32008)

CASE STATUS

Mar 24, 2026....Decision Rendered

PREDECESSOR CASE(S)

Table with 7 columns: Case ID, Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR CR2023-115706-001, Burglary 3rd Deg-Unlaw Entry, Class 4, 3 Years, Mark H Brain, Sentencing, JURY

DESCENDENT CASE(S)

ASC CR-26-0111-PR

OPEN DUE DATE

Petition for Review to ASC Due

Due By:

Thursday, June 25, 2026

Re: MEMORANDUM DECISION (Affirmed) Hon D Steven Williams - Author; Hon Daniel J Kiley - Concur; Hon Cynthia J Bailey - Concur

[2 extensions]

CASE DECISION

24-Mar-2026 MEMORANDUM DECISION

D Williams.....Author
Daniel Kiley.....Concur
Cynthia Bailey.....Concur

Filed: 24-Mar-2026

Mandate:

Decision Disposition

Affirmed

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

- 1 CA-CR 24-0683 STATE v. WHITESIDE
1 CA-CR 24-0685 STATE v. WHITESIDE
1 CA-CR 24-0688 STATE v. WHITESIDE

58 PROCEEDING ENTRIES

- 1. 26-Dec-2024 FILED: (Defendants) Notice of Appeal from Maricopa County Superior Court filed 12/19/24 / State's Notice of Appeal from Maricopa County Superior Court filed 12/19/24 - Notification to Court Reporters dated 12/24/24
2. 26-Dec-2024 FILED: Appellate Clerk Notice (31.2(g))
3. 30-Dec-2024 ORDERED: Appointing the Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Nicole Tatlow, Luz Franco, and Lauren Kuhnhenh transcripts due 02/13/2025. Benjamin A Armstrong ProTem Judge - Author
4. 16-Jan-2025 FILED: Courtesy Copy- Designation of Record for Appeal Filed in Superior Court (Appellant)
5. 21-Jan-2025 ORDERED: On or before 03/07/2025, Ken Crenshaw shall file transcripts dated 08/23/2023; 09/15/2023; 11/30/2023; 06/04/2024; 06/12/2024; 07/03/2024; 07/25/2024; 08/27/2024; 08/28/2024; 09/10/2024; 09/17/2024; 09/23/2024; 10/15/2024. FURTHER ORDERED: Court Reporter April Escobedo transcripts dated 10/31/2024 due by 03/07/2025. FURTHER ORDERED: Court Reporter Vanessa Gartner transcripts dated 12/06/2024 due by 03/07/2025. Hon Randall M Howe - Author
6. 27-Jan-2025 FILED: Reporter's Transcript - 10/01/2024 - Trial (Continuing) (Luz Franco)
7. 27-Jan-2025 FILED: Reporter's Transcript - 09/26/2024 - Jury Trial (Lauren Kuhnhenh)

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8.	28-Jan-2025	FILED: Corrected Reporter's Transcript - 10/01/2024 - Trial (Continuing) (Luz Franco)
9.	29-Jan-2025	FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 97 Digital Exhibits: None sent with e-Record
10.	30-Jan-2025	FILED: Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope
11.	12-Feb-2025	FILED: Reporter's Transcript - 12/18/2024 - Priors Trial and Sentencing (Nicole Tatlow)
12.	5-Mar-2025	FILED: Reporter's Transcript - 12/06/2024 - Sentencing Reset (Vanessa Gartner)
13.	7-Mar-2025	FILED: Reporter's Transcript - 08/23/2023 - Status Conference (Kimberly C. McCright)
14.	7-Mar-2025	FILED: Reporter's Transcript - 09/15/2023 - Not Guilty Arraignments (Kimberly C. McCright)
15.	7-Mar-2025	FILED: Reporter's Transcript - 11/30/2023 - Comprehensive Pretrial Conference Trial Orders (Kimberly C. McCright)
16.	7-Mar-2025	FILED: Reporter's Transcript - 06/04/2024 - Status Conference (Kimberly C. McCright)
17.	7-Mar-2025	FILED: Reporter's Transcript - 06/12/2024 - Trial Continuance Past Last Day (Kimberly C. McCright)
18.	7-Mar-2025	FILED: Reporter's Transcript - 07/03/2024 - Status Conference (Kimberly C. McCright)
19.	7-Mar-2025	FILED: Reporter's Transcript - 07/25/2024 - Status Conference (Kimberly C. McCright)
20.	7-Mar-2025	FILED: Reporter's Transcript - 08/27/2024 - Continuance (Kimberly C. McCright)
21.	7-Mar-2025	FILED: Reporter's Transcript - 08/28/2024 - Settlement Conference (Kimberly C. McCright)
22.	7-Mar-2025	FILED: Reporter's Transcript - 09/10/2024 - Final Trial Management Conference (Kimberly C. McCright)
23.	7-Mar-2025	FILED: Reporter's Transcript - 09/17/2024 - Status Conference (Kimberly C. McCright)
24.	7-Mar-2025	FILED: Reporter's Transcript - 09/23/2024 - Status Conference (Kimberly C. McCright)
25.	7-Mar-2025	FILED: Reporter's Transcript - 10/15/2024 - Hearing Pending Motion (Kimberly C. McCright)
26.	10-Mar-2025	FILED: Reporter's Transcript - 10/31/2024 - Status Conference (April Escobedo)
27.	28-Mar-2025	FILED: Notice of Completion of Record
28.	2-Apr-2025	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant/Appellee)
29.	7-Apr-2025	ORDERED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date (Appellant/Appellee) = GRANTED. FURTHER ORDERED: Appointing attorney Randal McDonald as attorney for appellant/appellee Dinarr Antwain Whiteside in this appeal. FURTHER ORDERED: The opening brief is due by 05/22/2025. Denise McGimsey ProTem Judge - Author
30.	29-Apr-2025	FILED: Motion to Consolidate and Motion Set Due Date for Consolidated Opening Briefs; Certificate of Service (Appellee/Appellant)
31.	8-May-2025	ORDERED: Motion to Consolidate (Appellee/Appellant) = GRANTED and consolidating cases 1 CA-CR 24-0683, 1 CA-CR 24-0684, 1 CA-CR 24-0685, and 1 CA-CR 24-0688. Case no. 1 CA-CR 24-0683 is designated the primary number, and all future documents filed in this appeal must use the caption shown on this order. FURTHER ORDERED: Motion Set Due Date for Consolidated Opening Briefs = GRANTED. The opening briefs in this consolidated appeal are due by 07/03/2025. Denise McGimsey ProTem Judge - Author
32.	24-Jun-2025	FILED: Unopposed Motion to Extend Deadline for Opening Briefs; Certificate of Service (Appellee)
33.	25-Jun-2025	ORDERED: Unopposed Motion to Extend Deadline for Opening Briefs (Appellee) = GRANTED. Due date EXTENDED from Thursday, 07-03-2025 to Monday, 08-04-2025 Denise McGimsey ProTem Judge - Author
34.	21-Jul-2025	FILED: Unopposed Motion for Procedural Order for an Amended Briefing Schedule (and request cross-appeal designation); Certificate of Service (Appellee)
35.	21-Jul-2025	FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)

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36. 22-Jul-2025 ORDERED: Unopposed Motion for Procedural Order for an Amended Briefing Schedule (and request cross-appeal designation) (Appellee) = GRANTED and amending the caption to reflect a cross-appeal and the parties' respective designations in that cross-appeal. All future documents filed in this appeal must use the caption shown on this order. FURTHER ORDERED: The due date for appellant's opening brief is 09/03/2025. FURTHER ORDERED: The 08/04/2025, due date for the State's opening brief is vacated. The State's combined opening brief on appeal and answering brief on cross-appeal, along with the other briefs in this matter, shall be due in accordance with Arizona Rule of Criminal Procedure 31.13(a) (4) and (5). Denise McGimsey ProTem Judge - Author
37. 3-Sep-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
38. 3-Sep-2025 FILED: Appendix to Appellant's Opening Brief (Appellant)
39. 15-Sep-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
40. 7-Oct-2025 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
41. 7-Oct-2025 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 10-14-2025 to Thursday, 11-13-2025, Denise McGimsey ProTem Judge - Author
42. 4-Nov-2025 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee/Cross-Appellant)
43. 4-Nov-2025 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee/Cross Appellant) = GRANTED. Due date EXTENDED from Thursday, 11-13-2025 to Monday, 12-15-2025. Denise McGimsey ProTem Judge - Author
44. 2-Dec-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
45. 2-Dec-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
46. 2-Dec-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
47. 15-Dec-2025 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
48. 16-Dec-2025 ORDERED: Dismissing the cross-appeal. FURTHER ORDERED: Amending the caption in this appeal by removing the designations of "cross-appellant" and "cross-appellee." The caption shown on this order shall be used in all future documents filed in this appeal. Denise McGimsey ProTem Judge - Author
49. 2-Jan-2026 FILED: Unopposed Motion for Extension of Time to File Reply Brief Motion for Procedural Order; Certificate of Service (Appellant)
50. 2-Jan-2026 ORDERED: Unopposed Motion for Extension of Time to File Reply Brief Motion for Procedural Order (Appellant) = GRANTED. Due date EXTENDED from Monday, 01-05-2026 to Wednesday, 02-04-2026 Denise McGimsey ProTem Judge - Author
51. 26-Jan-2026 CLNDR: CONFERENCE, Department D, 3-18-26, COURTROOM 2.
52. 2-Feb-2026 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
53. 4-Feb-2026 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
54. 12-Feb-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record
55. 24-Mar-2026 MEMORANDUM DECISION (Affirmed) Hon D Steven Williams - Author; Hon Daniel J Kiley - Concur; Hon Cynthia J Bailey - Concur
56. 24-Mar-2026 FILED: Decision Distribution Notification
57. 22-Apr-2026 FILED: ASC order, 4/22/26, extending the time to file a Petition for Review to 5/26/26
58. 22-May-2026 FILED: ASC Order filed 05/22/2026 re: extending time for filing Petition for Review to 06/25/2026