

Court of Appeals, Division One

Criminal

1 CA-CR 24-0685

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 24-0684 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 6 columns: MAR, CR2024-111017-002, Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo

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 24-0684 STATE v. WHITESIDE
1 CA-CR 24-0688 STATE v. WHITESIDE

61 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 filed 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, Lauren Kuhnhenh, Marylynn LeMoine, April Escobedo, and Vanessa Gartner and Ken Crenshaw transcripts due 02/13/2025. Benjamin A Armstrong ProTem Judge - Author
4. 15-Jan-2025 FILED: Reporter's Transcript - 10/24/2024 - Trial (Marylynn LeMoine)
5. 16-Jan-2025 FILED: Courtesy Copy - Designation of Record, filed in Maricopa County Superior Court (Appellant)
6. 21-Jan-2025 ORDERED: On or before 03/07/2025, Ken Crenshaw shall file transcripts dated 03/14/2024; 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; 10/21/2024. FURTHER ORDERED: Reaffirming this previously set due date of 02/13/2025 for transcripts dated 10/02/2024 for Ken Crenshaw. Hon Randall M Howe - Author
7. 28-Jan-2025 FILED: Reporter's Transcript - 10/03/2024 - Trial Continued (Luz Franco)

Court of Appeals, Division One**Criminal****1 CA-CR 24-0685****STATE v. WHITESIDE****61 PROCEEDING ENTRIES**

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| 8. | 30-Jan-2025 | FILED: Reporter's Transcript - 10/23/2024 - Jury Trial (Lauren Kuhnhenh) |
| 9. | 30-Jan-2025 | FILED: Reporter's Transcript- 10/28/2024 - Jury Trial (Lauren Kuhnhenh) |
| 10. | 31-Jan-2025 | FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 99 Digital Exhibits: None sent with e-Record |
| 11. | 31-Jan-2025 | FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 03/14/2024 List # 1 2 in manila envelope Hearing Date: 10/23/2024 List # 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 31 34 35 36 37 38 39 40 in manila envelope Hearing Date: 12/18/2024 List # 1 2 3 in manila envelope Sealed Exhibit: Confidential Criminal History Report in Sealed Manila Envelope |
| 12. | 5-Feb-2025 | FILED: Reporter's Transcript - 06/04/2024 - Status Conference (Dwight Terry) |
| 13. | 5-Feb-2025 | FILED: Reporter's Transcript - 08/27/2024 - Continuance (Rita Peluso) |
| 14. | 6-Feb-2025 | FILED: Reporter's Transcript - 06/12/2024 - Trial Continuance Past Last Day (Dwight Terry) |
| 15. | 6-Feb-2025 | FILED: Reporter's Transcript - 07/03/2024 - Status Conference (Dwight Terry) |
| 16. | 6-Feb-2025 | FILED: Reporter's Transcript - 07/25/2024 - Status Conference (Dwight Terry) |
| 17. | 7-Feb-2025 | FILED: Reporter's Transcript - 08/28/2024 - Settlement Conference (Rita Peluso) |
| 18. | 7-Feb-2025 | FILED: Reporter's Transcript - 09/17/2024 - Status Conference (Dwight Terry) |
| 19. | 7-Feb-2025 | FILED: Reporter's Transcript - 09/23/2024 - Status Conference (Dwight Terry) |
| 20. | 10-Feb-2025 | FILED: Reporter's Transcript - 09/10/2024 - Final Trial Management Conference (Dwight Terry) |
| 21. | 10-Feb-2025 | FILED: Reporter's Transcript - 10/21/2024 - Trial Management Conference (Juancarlos Rodriguez) |
| 22. | 10-Feb-2025 | FILED: Reporter's Transcript - 10/10/2024 - Minute Entry (Dwight Terry) |
| 23. | 10-Feb-2025 | FILED: Reporter's Transcript - 10/02/2024 - Trial Procedure Conference (Rita Peluso) |
| 24. | 12-Feb-2025 | FILED: Reporter's Transcript - 12/18/2024 - Priors Trial and Sentencing (Nicole Tatlow) |
| 25. | 13-Feb-2025 | FILED: Reporter's Transcript - 10/31/2024 - Status Conference (April Escobedo) |
| 26. | 14-Feb-2025 | FILED: Reporter's Transcript - 03/14/2024 - Evidentiary Hearing (Demetrica Clark) |
| 27. | 18-Feb-2025 | FILED: Reporter's Transcript - 12/06/2024 - Sentencing Reset (Vanessa Gartner) |
| 28. | 19-Mar-2025 | ORDERED: Ken Crenshaw Transcripts dated 10/15/2024 or OSC set on 04/02/2025. Hon Randall M Howe - Author |
| 29. | 1-Apr-2025 | FILED: Reporter's Transcript - 10/15/2024 - Minute Entry (Dwight Terry) |
| 30. | 3-Apr-2025 | FILED: Notice of Completion of Record |
| 31. | 9-Apr-2025 | FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant/Appellee) |
| 32. | 14-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 for appellant Dinarr Antwain Whiteside is due by 07/03/2025. Denise McGimsey ProTem Judge - Author |
| 33. | 29-Apr-2025 | FILED: Motion to Consolidate and Motion Set Due Date for Consolidated Opening Briefs; Certificate of Service (Appellee/Appellant) |
| 34. | 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 |
| 35. | 24-Jun-2025 | FILED: Unopposed Motion to Extend Deadline for Opening Briefs; Certificate of Service (Appellee) |

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36. 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
37. 21-Jul-2025 FILED: Unopposed Motion for Procedural Order for an Amended Briefing Schedule (and request cross-appeal designation); Certificate of Service (Appellee)
38. 21-Jul-2025 FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)
39. 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
40. 3-Sep-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
41. 3-Sep-2025 FILED: Appendix to Appellant's Opening Brief (Appellant)
42. 15-Sep-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
43. 7-Oct-2025 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
44. 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
45. 4-Nov-2025 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee/Cross-Appellant)
46. 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
47. 2-Dec-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
48. 2-Dec-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
49. 2-Dec-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
50. 15-Dec-2025 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
51. 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
52. 2-Jan-2026 FILED: Unopposed Motion for Extension of Time to File Reply Brief Motion for Procedural Order; Certificate of Service (Appellant)
53. 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
54. 26-Jan-2026 CLNDR: CONFERENCE, Department D, 3-18-26, COURTROOM 2.
55. 2-Feb-2026 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
56. 4-Feb-2026 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
57. 12-Feb-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record
58. 24-Mar-2026 MEMORANDUM DECISION (Affirmed) Hon D Steven Williams - Author; Hon Daniel J Kiley - Concur; Hon Cynthia J Bailey - Concur
59. 24-Mar-2026 FILED: Decision Distribution Notification
60. 22-Apr-2026 FILED: ASC order, 4/22/26, extending the time to file a Petition for Review to 5/26/26
61. 22-May-2026 FILED: ASC Order filed 05/22/2026 re: extending time for filing Petition for Review to 06/25/2026