

Court of Appeals, Division One

Criminal

1 CA-CR 24-0688

STATE v. WHITESIDE

Appellate Case Information

Case Filed: 30-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 24-0685

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: Case ID, Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR CR2023-115704-001, Burglary 3rd Deg-Unlaw Entry, Class 4, 2.50 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 24-0684 STATE v. WHITESIDE
1 CA-CR 24-0685 STATE v. WHITESIDE

58 PROCEEDING ENTRIES

- 1. 30-Dec-2024 FILED: (Defendants) Notice of Appeal from Maricopa County Superior Court filed 12/19/24 / State's Notice of Appeal from Maricopay County Superior Court filed 12/19/24 - Notification to Court Reporters dated 12/27/24
2. 30-Dec-2024 FILED: Appellate Clerk Notice (31.2(g))
3. 31-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, filed in Maricopa County Superior Court (Appellant)
5. 27-Jan-2025 FILED: Reporter's Transcript - 10/01/2024 - Trial (Continuing) (Luz Franco)
6. 27-Jan-2025 FILED: Reporter's Transcript - 09/26/2024 - Jury Trial (Lauren Kuhnhenh)
7. 28-Jan-2025 FILED: Corrected Reporter's Transcript - 10/01/2024 - Trial (Continuing) (Luz Franco)

**Court of Appeals, Division One****Criminal****1 CA-CR 24-0688****STATE v. WHITESIDE****58 PROCEEDING ENTRIES**

8. 31-Jan-2025 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: 114  
Digital Exhibits: None sent with e-Record
9. 31-Jan-2025 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 01/11/2024 List # 12 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43  
44 45 46 47 48 49 50 51 52 53 60 in manila envelope  
Sealed Exhibit:  
Confidential Criminal History Report in Sealed Manila Envelope
10. 4-Feb-2025 ORDERED: Ken Crenshaw 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 due by 03/21/2025. FURTHER  
ORDERED: Court Reporter April Escobedo transcripts dated 10/31/2024 due by 03/21/2025. FURTHER ORDERED: Court  
Reporter Vanessa Gartner transcripts dated 12/06/2024 due by 03/21/2025. Hon Randall M Howe - Author
11. 12-Feb-2025 FILED: Reporter's Transcript - 12/18/2024 - Priors Trial and Sentencing (Nicole Tatlow)
12. 19-Feb-2025 FILED: Reporter's Transcript - 6/12/2024 - Trial Continuance Past Last Day (Jan Penfield)
13. 19-Feb-2025 FILED: Reporter's Transcript - 6/04/2024 - Status Conference - Hearing (Jan Penfield)
14. 19-Feb-2025 FILED: Reporter's Transcript - 8/23/2023 - Status Conference - Hearing (Jan Penfield)
15. 19-Feb-2025 FILED: Reporter's Transcript - 7/03/2024 - Status Conference Hearing (Jan Penfield)
16. 19-Feb-2025 FILED: Reporter's Transcript - 7/25/2024 - Status Conference Hearing (Jan Penfield)
17. 19-Feb-2025 FILED: Reporter's Transcript - 11/30/2023 - Comprehensive Pretrial Conference Hearing/Trial Orders (Jan Penfield)
18. 19-Feb-2025 FILED: Reporter's Transcript - 8/27/2024 - Continuance Hearing (Jan Penfield)
19. 21-Feb-2025 FILED: Reporter's Transcript - 10/15/2024 - Hearing Pending Motion (Jan Penfield)
20. 21-Feb-2025 FILED: Reporter's Transcript - 09/15/2023 - Not Guilty Arraignment Hearing (Jan Penfield)
21. 21-Feb-2025 FILED: Reporter's Transcript - 09/10/2024 - Final Trial Management Conference (Jan Penfield)
22. 21-Feb-2025 FILED: Reporter's Transcript - 09/23/2024 - Hearing - Status Conference (Jan Penfield)
23. 21-Feb-2025 FILED: Reporter's Transcript - 08/28/2024 - Settlement Conference (Jan Penfield)
24. 21-Feb-2025 FILED: Reporter's Transcript - 09/17/2024 - Hearing - Status Conference (Jan Penfield)
25. 5-Mar-2025 FILED: Reporter's Transcript - 12/06/2024 - Sentencing Reset (Vanessa Gartner)
26. 21-Mar-2025 FILED: Reporter's Transcript - 10/31/2024 - Status Conference (April Escobedo)
27. 25-Mar-2025 FILED: Notice of Completion of Record
28. 26-Mar-2025 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service  
(Appellant/Appellee)
29. 31-Mar-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 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: The  
opening brief for appellant Dinarr Antwain Whiteside is due by 05/15/2025. 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)

**Court of Appeals, Division One****Criminal****1 CA-CR 24-0688****STATE v. WHITESIDE****58 PROCEEDING ENTRIES**

35.	21-Jul-2025	FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)
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