

Court of Appeals, Division One

Criminal

1 CA-CR 25-0080

STATE v. DAVIS

Appellate Case Information

Case Filed: 24-Feb-2025

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Diane L Hunt, Esq. (AZ Bar No. 16566)

Side 2. NICHOLE JENNEE DAVIS, Appellant

(Litigant Group) NICHOLE JENNEE DAVIS

- Nichole Jennee Davis

Attorneys for: Appellant

Janelle A McEachern, Esq. (AZ Bar No. 16652)

CASE STATUS

May 8, 2026.....Stayed

Jan 20, 2026.....Motion for Reconsideration Pending

PREDECESSOR CASE(S)

Table with 6 columns: MOH, S8015CR201801831, Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo

PENDING MATTER

General Motion

Appellant's Motion for Reconsideration (Appellant Pro Per)

04/20: Response to Motion for Reconsideration (Appellee)

Filed: 20-Jan-2026

Scheduled: 23-Jan-2026

CASE DECISION

07-Jan-2026 ORDER

ORDERED: Dismissing this appeal

Filed: 07-Jan-2026

Mandate:

Denise McGimsey.....Author

Decision Disposition

Dismissed

39 PROCEEDING ENTRIES

- 1. 20-Feb-2025 FILED: Minute Entry dated 2/18/25, re: jurisdiction of appellate proceedings
2. 24-Feb-2025 FILED: Notice of Appeal from Mohave County Superior Court filed 02/12/25.
3. 24-Feb-2025 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: None Digital Exhibits: None sent with e-Record
4. 28-Feb-2025 FILED: Appellate Clerk Notice (31.2(g))
5. 25-Mar-2025 FILED: Mohave County Superior Court Notice/Order/Ruling, filed on 03/20/2025, re: Denial of Pro Per request
6. 1-Apr-2025 FILED: Request for Extension (Time to File Transcripts) (Linda Cantrell)
7. 1-Apr-2025 ORDERED: Request for Extension (Time to File Transcripts) (Linda Cantrell) = GRANTED. Due Dates EXTENDED to 04/30/2025 for Transcripts dated 04/06/2021, 03/08/2022, 03/09/2022, 03/10/2022, 03/11/2022, 03/15/2022, 01/13/2025 or OSC set on 05/07/2025. Hon Randall M Howe - Author
8. 25-Apr-2025 FILED: Reporter's Transcript - 03/15/2022 - Jury Trial Day 5 (Linda Cantrell)
9. 25-Apr-2025 FILED: Reporter's Transcript - 01/13/2025 - Judgment and Sentencing (Linda Cantrell)
10. 25-Apr-2025 FILED: Reporter's Transcript - 03/08/2022 - Jury Trial Day 1 (Linda Cantrell)
11. 25-Apr-2025 FILED: Reporter's Transcript - 03/09/2022 - Jury Trial Day 2 (Linda Cantrell)
12. 25-Apr-2025 FILED: Reporter's Transcript - 03/10/2022 - Jury Trial Day 3 (Linda Cantrell)

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13. 25-Apr-2025 FILED: Reporter's Transcript - 03/11/2022 - Jury Trial Day 4 (Linda Cantrell)
14. 5-May-2025 FILED: Reporter's Transcript - 04/06/2021 - Evidentiary Hearing (Day 2) (Linda Cantrell)
15. 8-May-2025 FILED: Notice of Completion of Record
16. 23-Jun-2025 FILED: Motion For Extension Of Time To File Opening Brief; Certificate of Mailing (Appellant)
17. 23-Jun-2025 ORDERED: Motion For Extension Of Time To File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 06-23-2025 to Wednesday, 07-23-2025 Denise McGimsey ProTem Judge - Author
18. 23-Jul-2025 FILED: Second Motion for Extension of Time to File Opening Brief; Certificate of Mailing (Appellant)
19. 23-Jul-2025 ORDERED: Second Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 07-23-2025 to Friday, 08-22-2025 Denise McGimsey ProTem Judge - Author
20. 22-Aug-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Mailing (Appellant)
21. 27-Aug-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)
22. 29-Sep-2025 FILED: Motion to Dismiss Claims Challenging the Judgments of Conviction & Motion for Extension of Time to Answer Sentencing Claim; Certificate of Service (Appellee)
23. 8-Oct-2025 ORDERED: Vacating the due date for the answering brief while the court considers the motion to dismiss. No answering brief is due until further order from the court. Denise McGimsey ProTem Judge - Author
24. 6-Nov-2025 ORDERED: Motion to Dismiss Claims Challenging the Judgments of Conviction (Appellee) = GRANTED and dismissing the Davis's appeal from her convictions. FURTHER ORDERED: This court has jurisdiction to consider Davis's appeal from her sentence. FURTHER ORDERED: The answering brief is due by 12/08/2025. Hon Paul J McMurdie - Author
25. 8-Dec-2025 FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
26. 8-Dec-2025 ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 12-08-2025 to Thursday, 12-18-2025 Denise McGimsey ProTem Judge - Author
27. 16-Dec-2025 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
28. 7-Jan-2026 ORDERED: Dismissing this appeal. Denise McGimsey ProTem Judge - Author
29. 20-Jan-2026 FILED: Appellant's Motion for Reconsideration (Appellant Pro Per)
30. 4-Feb-2026 ORDERED: Requesting that the State file a response to appellant's motion by 02/17/2026. The response should address whether this matter should be remanded to the superior court to determine whether the notice of appeal was timely. See Mayer, 184 Ariz. at 245; State v. Goracke, 210 Ariz. 20, 23, ¶ 11 (App. 2005). FURTHER ORDERED: That appellant may file a reply no later than 10 days after the response is served. Hon Randall M Howe - Author
31. 17-Feb-2026 FILED: Unopposed Motion for Procedural Order (Extension for Response to Motion for Reconsideration); Certificate of Service (Appellee)
32. 17-Feb-2026 ORDERED: Unopposed Motion for Procedural Order (Extension for Response to Motion for Reconsideration) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 02-17-2026 to Friday, 02-27-2026 Denise McGimsey ProTem Judge - Author
33. 27-Feb-2026 FILED: Unopposed Motion for Procedural Order (Extension for Response to Motion for Reconsideration); Certificate of Service (Appellee)
34. 27-Feb-2026 ORDERED: Unopposed Motion for Procedural Order (Extension for Response to Motion for Reconsideration) (Appellee) = GRANTED. Due date EXTENDED from Friday, 02-27-2026 to Friday, 03-20-2026 Denise McGimsey ProTem Judge - Author
35. 19-Mar-2026 FILED: Unopposed Motion for Procedural Order (Extension for Response to Motion for Reconsideration); Certificate of Service (Appellee)
36. 20-Mar-2026 ORDERED: Unopposed Motion for Procedural Order (Extension for Response to Motion for Reconsideration) (Appellee) = GRANTED. Due date EXTENDED from Friday, 03-20-2026 to Monday, 04-20-2026 Mukai S Amoo - Author
37. 20-Apr-2026 FILED: Response to Motion for Reconsideration; Courtesy Copy - Order Requesting Response, filed 02/04/2026 in Arizona State Court of Appeals; Certificate of Service (Appellee)
38. 8-May-2026 ORDERED: Staying the appeal. FURTHER ORDERED: Revesting jurisdiction in the Mohave County Superior Court to determine whether appellant delivered the notice of appeal to prison authorities for mailing by 02/03/2025. FURTHER ORDERED: That the superior court may in its discretion hold an evidentiary hearing and may direct the parties to file any documents it deems necessary to determine the timeliness of the notice of appeal. FURTHER ORDERED: That within 15 days after the superior court issues its decision on timeliness, appellant must file a notice with this court with the ruling attached. Upon receipt of the superior court's ruling, this court will rule on the motion for reconsideration. FURTHER ORDERED: Directing appellant to file written notice with this court of the status of the superior court proceedings by 06/30/2026. Denise McGimsey ProTem Judge - Author
39. 19-May-2026 FILED: Courtesy Copy from Mohave County Superior Court dated 05/11/2025, re: Order setting matter for an Evidentiary Hearing

