

Court of Appeals, Division One

Criminal

1 CA-CR 25-0191

STATE v. HORCASITAS

Appellate Case Information

Case Filed: 7-May-2025

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

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

Side 2. GABRIEL PAUL HORCASITAS, Appellant

(Litigant Group) GABRIEL PAUL HORCASITAS

- Gabriel Paul Horcasitas

Attorney for: Appellant

Kristen Reller, Esq. (AZ Bar No. 36470)

Side 3. S.W. et al., Crime Victim

(Litigant Group) S.W. ET AL.

- S. W.
D. S.
J. P.

Attorneys for: Crime Victim

Jessica Gattuso, Esq. (AZ Bar No. 25492)

CASE STATUS

May 18, 2026...At Issue

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2021-142720-001, Manslaughter-Reckless, Class 2, 10.5 years, ADCRR, Todd F Lang, Sentencing, JURY

OPEN DUE DATE

Reply Brief due Due By: Monday, July 6, 2026

Re: * ORDERED: Motion for Complex Case Designation (Appellant) = GRANTED. FURTHER ORDERED: That the opening brief must be filed by 02/02/2026. FURTHER ORDERED: That the answering brief must be filed by 04/03/2026. FURTHER ORDERED: That the reply brief must be

88 PROCEEDING ENTRIES

- 1. 7-May-2025 FILED: Notice of Appeal from Maricopa County Superior Court filed 05/01/25. Notification to Court Reporters dated 05/06/25.
2. 9-May-2025 FILED: Appellate Clerk Notice (31.2(g))
3. 16-May-2025 ORDERED: Directing court reporters Scott Kindle, Lori Reinhardt, Tara Kramer, Nicola Bauman, Nicole Tatlow, Julie Becker, and Kit Walker transcripts due by 06/30/2024. Denise McGimsey ProTem Judge - Author
4. 28-May-2025 FILED: Courtesy Copy - Designation of Record for Appeal Filed in Superior Court (Appellant)
5. 30-May-2025 FILED: Reporter's Transcript - 01/07/2025 - Trial Continuance (Kit Walker)
6. 30-May-2025 FILED: Reporter's Transcript - 03/25/2025 - Jury Trial Day Eight (Kit Walker)
7. 3-Jun-2025 FILED: Reporter's Transcript - 03/13/2025 - Jury Trial Day 3 (Tara L. Kramer)

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8. 3-Jun-2025 ORDERED: Court Reporter Jennifer Church transcript(s) dated 10/12/2022, 03/22/2023, 03/23/2023, 03/28/2023, 04/17/2023, 04/26/2023 due by 07/18/2025. FURTHER ORDERED: Court Reporter Kristyn Lobry transcript(s) dated 03/29/2023 due by 07/18/2025. FURTHER ORDERED: Court Reporter Lori Reinhardt transcript(s) dated 10/23/2024, 04/11/2023, 04/05/2023 due by 07/18/2025. FURTHER ORDERED: Reaffirming previously set due date of 06/30/2025 for transcripts dated 03/12/2025 and 05/01/2025 for Court Reporter Lori Reinhardt. FURTHER ORDERED: Court Reporter Wendy Ricard transcript(s) dated 04/14/2025, 03/10/2025 due by 07/18/2025. FURTHER ORDERED: Court Reporter Nicole Tatlow transcript(s) dated 04/04/2023, 04/03/2023, 03/30/2023, 03/15/2023 due by 07/18/2025. FURTHER ORDERED: Reaffirming previously set due date of 06/30/2025 for transcripts dated 03/18/2025, 03/26/2025, 03/27/2025 for Court Reporter Nicole Tatlow. FURTHER ORDERED: Court Reporter Tara Kramer transcript(s) dated 01/10/2023, 11/20/2024, 12/17/2024 due by 07/18/2025. FURTHER ORDERED: Reaffirming previously set due date of 06/30/2025 for transcripts dated 03/24/2025 for Court Reporter Tara Kramer. FURTHER ORDERED: Court Reporter Julie Becker transcript(s) dated 02/27/2025 due by 07/18/2025. FURTHER ORDERED: Reaffirming previously set due date of 06/30/2025 for transcripts dated 03/19/2025 for Court Reporter Julie Becker. FURTHER ORDERED: Court Reporter Lisa Bradley transcript(s) dated 11/12/2024, 05/09/2023 due by 07/18/2025. FURTHER ORDERED: Court Reporter Andrew Carter transcript(s) dated 10/29/2024, 03/15/2023, 11/30/2021, 11/22/2021 due by 07/18/2025. FURTHER ORDERED: Court Reporter Robin Lawlor transcript(s) dated 09/13/2024 due by 07/18/2025. FURTHER ORDERED: Court Reporter Treva Colwell transcript(s) dated 07/02/2024, 03/27/2023 due by 07/18/2025. FURTHER ORDERED: Court Reporter Vanessa Gartner transcript(s) dated 05/14/2024 due by 07/18/2025. FURTHER ORDERED: Court Reporter Luz Franco transcript(s) dated 05/24/2023 due by 07/18/2025. FURTHER ORDERED: Court Reporter Diane Donohoe transcript(s) dated 05/18/2023, 04/13/2023 due by 07/18/2025. Hon Randall M Howe - Author
9. 4-Jun-2025 FILED: Reporter's Transcript - 11/12/2024 - Untitled (Lisa Bradley)
10. 5-Jun-2025 FILED: Reporter's Transcript - 03/29/2023 - Trial Day 5 (Kristyn L. Lobry)
11. 5-Jun-2025 FILED: Reporter's Transcript - 05/09/2023 - Untitled (Lisa A Bradley)
12. 9-Jun-2025 FILED: Reporter's Transcript - 12/17/2024 - Motions (Tara L. Kramer)
13. 9-Jun-2025 FILED: Reporter's Transcript - 01/10/2023 - Trial Continuance Past Last Day (Tara L. Kramer)
14. 9-Jun-2025 FILED: Reporter's Transcript - 11/20/2024 - Continuance (Tara L. Kramer)
15. 12-Jun-2025 FILED: Notice of Appearance; Certificate of Service (Appellant)
16. 13-Jun-2025 FILED: Reporter's Transcript - 03/11/2025 - Trial Day 1 (Scott Kindle)
17. 13-Jun-2025 FILED: Reporter's Transcript - 03/27/2025 - Trial Day 10 - Afternoon Session (Scott Kindle)
18. 13-Jun-2025 FILED: Reporter's Transcript - 03/24/2025 - Jury Trial Day 7 (Tara L. Kramer)
19. 13-Jun-2025 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 03/22/2023 List # 7 19 20 21 22 23 24 25 39 40 41 54 in manila envelope
Hearing Date: 03/11/2025 List # 7 8 9 10 11 12 13 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 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 91 94 98 101 102 103 in manilla envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
20. 13-Jun-2025 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 416
Digital Exhibits: None sent with e-Record
21. 17-Jun-2025 FILED: Reporter's Transcript - 04/14/2025 - Status Conference (Wendy C Ricard)
22. 23-Jun-2025 FILED: Reporter's Transcript - 03/15/2023 - Trial Procedure Conference (Nicole Tatlow)
23. 23-Jun-2025 FILED: Reporter's Transcript - 03/30/2023 - Trial Day 6 (Nicole Tatlow)
24. 23-Jun-2025 FILED: Reporter's Transcript - 04/03/2023 - Trial Day 7 (Nicole Tatlow)
25. 23-Jun-2025 FILED: Reporter's Transcript - 04/04/2023 - Trial Day 8 (Nicole Tatlow)
26. 24-Jun-2025 FILED: Reporter's Transcript - 04/05/2023 (Lori Reinhardt)
27. 24-Jun-2025 FILED: Reporter's Transcript - 04/11/2023 (Lori Reinhardt)
28. 24-Jun-2025 FILED: Reporter's Transcript - 10/23/2024 (Lori Reinhardt)
29. 24-Jun-2025 FILED: Reporter's Transcript - 03/19/2025 - Jury Trial (Julie Becker)
30. 24-Jun-2025 FILED: Reporter's Transcript - 02/27/2025 - Status Conference (Julie Becker)
31. 26-Jun-2025 FILED: Reporter's Transcript - 03/27/2023 - Trial Day 3 (Treva Colwell)
32. 26-Jun-2025 FILED: Reporter's Transcript - 07/02/2024 - Status Conference (Treva Colwell)

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33.	26-Jun-2025	FILED: Reporter's Transcript - 03/18/2025 - Trial Day 5 (Nicole Tatlow)
34.	27-Jun-2025	FILED: Request for Extension of Time to File Transcript (Court Reporter Nicole Tatlow)
35.	27-Jun-2025	FILED: Reporter's Transcript - 03/27/2025 - Trial Day 10 - A.M. Session (Nicole Tatlow)
36.	30-Jun-2025	ORDERED: Request for Extension of Time to File Transcript (Court Reporter Nicole Tatlow) = GRANTED. Due Dates EXTENDED to 07/30/2025 for Transcripts dated 03/26/2025, 03/27/2025 or OSC set on 08/06/2025. Hon Randall M Howe - Author
37.	30-Jun-2025	FILED: Reporter's Transcript - 03/17/2025 - Jury Trial - Day 4 (Nicola Bauman)
38.	30-Jun-2025	FILED: Request for Extension of Time to File Transcript (Lori Reinhardt)
39.	30-Jun-2025	ORDERED: Request for Extension of Time to File Transcript (Lori Reinhardt) = GRANTED. Due Dates EXTENDED to 07/30/2025 for Transcripts dated 03/12/2025, 05/01/2025 or OSC set on 08/06/2025. Hon Randall M Howe - Author
40.	1-Jul-2025	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
41.	3-Jul-2025	FILED: Reporter's Transcript - 03/22/2023 -Trial Day 1 (Jennifer Church)
42.	3-Jul-2025	FILED: Reporter's Transcript - 03/23/2023 -Trial Day 2 (Jennifer Church)
43.	7-Jul-2025	FILED: Reporter's Transcript - 10/12/2022 - Final Trial Management Conference- Continuance (Jennifer Church)
44.	7-Jul-2025	FILED: Reporter's Transcript - 03/28/2023 -Trial Day 4 (Jennifer Church)
45.	8-Jul-2025	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order by either party or counsel of record, the clerk, unsealing the Court Information Sheet (IOR 2); Court Information Sheet (IOR 16); Original Sealed Document (Rule 2.3 Victim Identifier Information Form (RDOC)) (IOR 17); Original Sealed Document (Defendant's Notice to the Court Re: Victim's Cell Phone Contents) (IOR 184); Random Jury List (IOR 189); [Part 1 of 4] Original Sealed Document (Sealed Jury Questionnaires) (IOR 198); [Part 2 of 4] Original Sealed Document (Sealed Jury Questionnaires) (IOR 199); [Part 3 of 4] Original Sealed Document (Sealed Jury Questionnaires) (IOR 200); [Part 4 of 4] Original Sealed Document (Sealed Jury Questionnaires) (IOR 201); Original Sealed Document (IOR 244); Original Sealed Document (IOR 245); Original Sealed Document (IOR 246); Original Sealed Document (IOR 247); Original Sealed Document (ME: Minute Entry Docket Code 017 [04/29/2024]) (IOR 249); Original Sealed Document (Defendant's Settlement Memorandum) (IOR 256); Original Sealed Document (Defendant's Supplemental Ex Parte Settlement Memorandum) (IOR 257); Original Sealed Document (Affidavit of Non-Service) (IOR 304); Original Sealed Document (Defendant's Notice of Lodging of Amended Orders for Deposition) (IOR 320); Original Sealed Document (Affidavit of Service) (IOR 321); Original Sealed Document (Exhibit 2) (IOR 322); Random Jury List (IOR 388); Restitution Ledger Request (IOR 396); Victim Information Sheet for Lifetime No-Contact Injunction (IOR 406); Victim Information Sheet for Lifetime No-Contact Injunction (IOR 407); and Victim Information Sheet for Lifetime No-Contact Injunction (IOR 408) for parties/agents for this appeal only. Denise McGimsey ProTem Judge - Author
46.	8-Jul-2025	FILED: Reporter's Transcript - 04/17/2023 - Trial Day 13 (Jennifer Church)
47.	8-Jul-2025	FILED: Reporter's Transcript - 04/26/2023 - Status Conference (Jennifer Church)
48.	9-Jul-2025	FILED: Reporter's Transcript - 11/22/2021 - Warrant Quashed/Hearing Reset (Kanchan Mutreja)
49.	9-Jul-2025	FILED: Reporter's Transcript - 10/29/2024 - Continuance (Delanie Shepherd)
50.	9-Jul-2025	FILED: Reporter's Transcript - 11/30/2021 - Not Guilt Arraignment/Complex Case Order (Delanie Shepherd)
51.	9-Jul-2025	FILED: Reporter's Transcript - 03/15/2023 - Trial Procedure Conference (Delanie Shepherd)
52.	10-Jul-2025	FILED: Reporter's Transcript - 04/13/2023 - Trial Day 12 (Diane Donoho)
53.	10-Jul-2025	FILED: Reporter's Transcript - 05/18/2023 - Oral Argument Motion to Dismiss with Prejudice and Motion to Compel for Sanctions (Diane Donoho)
54.	10-Jul-2025	FILED: Reporter's Transcript - 05/14/2024 - Status Conference/Trial Assignment Date Set (Vanessa Gartner)
55.	14-Jul-2025	FILED: Reporter's Transcript - 03/12/2025 (Lori Reinhardt)
56.	14-Jul-2025	FILED: Reporter's Transcript - 05/01/2025 (Lori Reinhardt)
57.	14-Jul-2025	FILED: Reporter's Transcript - 07/14/2025 - Status Conference (Luz Franco)
58.	14-Jul-2025	FILED: Reporter's Transcript - 09/13/2024 - Final Trial Management Conference and Oral Argument (Robin Lawlor)
59.	15-Jul-2025	FILED: Reporter's Transcript - 05/24/2023 - Status Conference (Luz Franco)
60.	17-Jul-2025	FILED: Reporters Transcript - 03/10/2025 - Trial Procedure Conference/Jury Strikes (Sealed) (Wendy Ricard)
61.	21-Jul-2025	FILED: Reporter's Transcript - 03/26/2025 - Trial Day 9 (Nicole Tatlow)
62.	23-Jul-2025	FILED: Notice of Completion of Record

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63.	14-Aug-2025	FILED: Crime Victims' Notice of Appearance of Counsel and Assertion of Victims' Constitutional Rights; Certificate of Service-Crime Victims' Notice of Appearance of Counsel and Assertion of Victims' Constitutional Rights
64.	19-Aug-2025	FILED: Motion to Supplement the Record and Motion to Vacate the Opening Brief's Deadline; Certificate of Service (Appellant)
65.	19-Aug-2025	FILED: Joint Motion for Stay and Remand to Determine the Record; Certificate of Service (Appellant)
66.	22-Aug-2025	ORDERED: Joint Motion for Stay and Remand to Determine the Record (Appellant) = GRANTED and pursuant to Arizona Rule of Criminal Procedure 31.8(g), staying this appeal until 10/21/2025, and revesting jurisdiction in the Maricopa County Superior Court to permit that court and the parties to settle the record. FURTHER ORDERED: Authorizing the superior court to rule on and settle the record in furtherance of this appeal. FURTHER ORDERED: The stay will lift automatically on 10/22/2025. FURTHER ORDERED: Directing the clerk of the superior court to transmit to this court by 10/22/2025, a certified copy of its written findings, marked for filing in this appeal. FURTHER ORDERED: The opening brief is due by 11/20/2025. Denise McGimsey ProTem Judge - Author
67.	22-Aug-2025	ORDERED: Motion to Supplement the Record and Motion to Vacate the Opening Brief's Deadline (Appellant) = GRANTED in part and directing Paula Collins to arrange for the preparation of the transcript dated 03/06/2023 due by 09/22/2025. FURTHER ORDERED: Denying the motion to supplement the record with the presentence report because that document is already in the appellate record at IOR 400 ("SENTENCING/DISPOSITION SHEET"). FURTHER ORDERED: The opening brief is due by 11/20/2025. Denise McGimsey ProTem Judge - Author
68.	2-Sep-2025	FILED: Reporter's Transcript - 03/06/2023 - Final Trial Management Conference (Dwight Terry)
69.	20-Oct-2025	FILED: Joint Motion to Extend Stay; Certificate of Service (Appellant)
70.	21-Oct-2025	ORDERED: Joint Motion to Extend Stay (Appellant) = GRANTED and extending the stay through 11/04/2025, to permit the Maricopa County Superior Court and the parties to settle the record. FURTHER ORDERED: Authorizing the superior court to rule on and settle the record in furtherance of this appeal. FURTHER ORDERED: Directing the clerk of the superior court to transmit to this court by 11/05/2025, a certified copy of its written findings, marked for filing in this appeal. FURTHER ORDERED: The stay will lift automatically on 11/05/2025. FURTHER ORDERED: The opening brief is due by 12/04/2025. Denise McGimsey ProTem Judge - Author
71.	5-Nov-2025	FILED: Motion for Complex Case Designation; Certificate of Service (Appellant)
72.	10-Nov-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record
73.	10-Nov-2025	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date: 10/31/2025 List # 1 (SEALED) 2 3 4 5 6 7 8 9 in a manila envelope
74.	13-Nov-2025	ORDERED: Motion for Complex Case Designation (Appellant) = GRANTED. FURTHER ORDERED: That the opening brief must be filed by 02/02/2026. FURTHER ORDERED: That the answering brief must be filed by 04/03/2026. FURTHER ORDERED: That the reply brief must be filed by 05/13/2026. Hon Randall M Howe - Author
75.	2-Feb-2026	FILED: Appellant's Opening Brief; Certificate of Compliance with Rule 31.12, ARCP; Certificate of Service (Appellant)
76.	9-Feb-2026	FILED: Notice of Appearance; Certificate of Service (Appellee)
77.	13-Mar-2026	FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
78.	13-Mar-2026	ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Friday, 04-03-2026 to Monday, 05-04-2026. FURTHER ORDERED, on the court's own motion, extending the time to file the reply brief from 05/13/2026 to 06/22/2026. Mukai S Amoo - Author
79.	17-Mar-2026	FILED: Crime Victims' Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service - Crime Victims' Motion for Procedural Order (Extension for Answering Brief) (Crime Victim)
80.	17-Mar-2026	ORDERED: Crime Victims' Unopposed Motion for Procedural Order (Extension for Answering Brief) (Crime Victim)= GRANTED and extending the time to file the answering brief from April 3, 2026 to May 4, 2026. Pursuant to Division One Administrative Order 2020-03, the court will not grant any further extension absent a showing of new and unforeseen circumstances constituting good cause. Denise McGimsey ProTem Judge - Author
81.	27-Apr-2026	FILED: Unopposed Motion for Procedural Order (Extension for Answering Brief); Certificate of Service (Appellee)
82.	27-Apr-2026	ORDERED: Unopposed Motion for Procedural Order (Extension for Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 03-16-2026 to Monday, 05-18-2026. FURTHER ORDERED:, On the Court's own motion, that any reply brief must be filed by 07/6/2026. Denise McGimsey ProTem Judge - Author
83.	18-May-2026	FILED: Crime Victims' Answering Brief; Certificate of Compliance - Crime Victims' Answering Brief; Certificate of Service (Crime Victim)
84.	19-May-2026	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
85.	19-May-2026	FILED: Amended Certificate of Compliance; Certificate of Service (Appellee)
86.	19-May-2026	FILED: Certificate of Service - Victim's Counsel; Certificate of Service (Appellee)

Court of Appeals, Division One

Criminal

1 CA-CR 25-0191

STATE v. HORCASITAS

88 PROCEEDING ENTRIES

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| 87. | 19-May-2026 | FILED: Unopposed Motion to Deem Filing Timely; Certificate of Service (Appellee State) |
| 88. | 21-May-2026 | ORDERED: Unopposed Motion to Deem Filing Timely (Appellee State) = GRANTED and accepting the answering brief as timely filed. Denise McGimsey ProTem Judge - Author |