

Court of Appeals, Division One

Criminal - Anders Appeal

1 CA-CR 25-0372

STATE v. MONTGOMERY

Appellate Case Information

Case Filed: 2-Sep-2025

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

Side 2. ERICA ANN MONTGOMERY, Appellant

(Litigant Group) ERICA ANN MONTGOMERY

- Erica Ann Montgomery

Attorneys for: Appellant

Seth M Apfel, Esq. (AZ Bar No. 32225)

CASE STATUS

Nov 4, 2025.....Record Complete-Notice Completion Sent

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, S1300CR202380567, Aggravated Assault, Class 2, 10.5 years, ADCRR, Krista M Carman, Sentencing, JURY.

OPEN DUE DATE

Anders Supplemental Brief Due

Due By: Wednesday, August 26, 2026

Re: \* ORDERED: Motion For Procedural Order: Request To Expand Record To Include And Produce Additional Transcripts (Appellant) = GRANTED and supplementing the record with transcripts for the following proceedings: (1) Arraignment held on 12/22/2023, digitally [2 extensions]

CALENDAR

Friday MOTION CALENDAR

29-May-2026 Department M;

File date: 5/27/2026.....Motion For Procedural Order: Request To Expand Record To Include And Produce Additional Transcripts (Appellant)

DECISION RENDERED: See proceeding entry for ORDER dated 1-Jun-2026 for more information...

39 PROCEEDING ENTRIES

- 1. 2-Sep-2025 FILED: Notice of Appeal from Yavapai County Superior Court filed 08/18/25. Notification to Court Reporters filed 08/19/25.
2. 2-Sep-2025 FILED: e-Record on Appeal: Instruments/Minute Entries: Combined Disposition Report: 129 Digital Exhibits: Hearing Date: 05/27/2025 List # P1 P2 P3 P4 P5 P6 P8 P12 P15 Hearing Date: 05/28/2025 List # P10 P11 P13 P16 Hearing Date: 05/29/2025 List # P23 P24
3. 3-Sep-2025 FILED: Appellate Clerk Notice (31.2(g))
4. 9-Sep-2025 FILED: Request for Extension on Appeal (Lisa Chaney)
5. 10-Sep-2025 ORDERED: Request for Extension on Appeal (Lisa Chaney) = GRANTED. Due date EXTENDED from Thursday, 10-02-2025 to Monday, 11-03-2025 (Transcript for 05/27/2025 by Reporter Lisa A Chaney) or OSC set on 11/05/2025. Hon David D Weinzweig - Author
6. 10-Sep-2025 FILED: Reporter's Transcript - 07/28/2025 - Judgment of Guilt and Sentence (Kirsten Gunn)
7. 15-Sep-2025 FILED: Reporter's Transcript - 05/29/2025 - Trial Day Three (Mina Hunt)
8. 16-Sep-2025 ORDERED: Directing the Contract Administrator of the Yavapai County Public Defender's Office to provide this court with the name of assigned counsel by 09/26/2025. Denise McGimsey ProTem Judge - Author
9. 17-Sep-2025 FILED: Notice of Assignment; Certificate of Service (Appellant)
10. 23-Sep-2025 FILED: First Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi)
11. 23-Sep-2025 ORDERED: First Request for Extension of Time (Time to File Transcripts) (Susanne Nardozzi) = GRANTED. Due date EXTENDED from Thursday, 10/02/2025 to Monday, 11/03/2025 for transcript dated 05/27/2025 or OSC set on 11/05/2025. Hon David D Weinzweig - Author

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12. 25-Sep-2025 FILED: Reporter's Transcript - 05/27/2025 - Re: Final Pretrial Conference and Jury Trial Day 1 - AM Session (Lisa Chaney)
13. 3-Oct-2025 FILED: Reporter's Transcript - 05/28/2025 - Jury Trial Day Two - AM Session (Penny Tardiff)
14. 22-Oct-2025 FILED: Letter to Counsel from Appellant (Appellant Pro Per)
15. 23-Oct-2025 ORDERED: Treating the letter as a courtesy copy and taking no action on it. Denise McGimsey ProTem Judge - Author
16. 4-Nov-2025 FILED: Reporter's Transcript - 05/27/2025 - Final Pretrial Conference/Trial Day 1 (Susanne Nardozzi)
17. 4-Nov-2025 FILED: Notice of Completion of Record
18. 5-Nov-2025 FILED: Untitled (Motion for New Counsel) (Appellant Pro Per)
19. 10-Nov-2025 ORDERED: Untitled (Motion for New Counsel) (Appellant Pro Per) = DENIED. Denise McGimsey ProTem Judge - Author
20. 18-Dec-2025 FILED: Moton for Extension of Time to File Opening Brief; Certificate of Mailing (Appellant)
21. 18-Dec-2025 ORDERED: Moton for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 12-19-2025 to Tuesday, 01-20-2026 Denise McGimsey ProTem Judge - Author
22. 23-Dec-2025 FILED: Untitled (Motion for Extension of Time to File Opening Brief) (Appellant Pro Per)
23. 24-Dec-2025 ORDERED: Untitled (Motion for Extension of Time to File Opening Brief) (Appellant Pro Per) = DENIED. Denise McGimsey ProTem Judge - Author
24. 20-Jan-2026 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Maling; Motion for Leave of Appellant to File an Opening Brief in Propria Persona Pursuant to Anders v. California (Appellant)
25. 29-Jan-2026 ORDERED: Allowing appellant to file supplemental brief in propria persona. FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG. FURTHER ORDERED: Appellant may raise additional points on/before 03/27/2026. FURTHER ORDERED: Answering brief to await court order. Denise McGimsey ProTem Judge - Author
26. 30-Jan-2026 FILED: Letter, dated 01/30/2026 to Appellant from Counsel re: Forwarding records on appeal (Appellant)
27. 17-Feb-2026 FILED: Motion for Extension of Time to File Supplemental Opening Brief in Propria Persona (Appellant Pro Per)
28. 20-Feb-2026 ORDERED: Motion for Extension of Time to File Supplemental Opening Brief in Propria Persona (Appellant Pro Per) = GRANTED. Due date EXTENDED from Friday, 03-27-2026 to Tuesday, 05-26-2026 Denise McGimsey ProTem Judge - Author
29. 3-Mar-2026 FILED: Letter (Appellant Pro Per)
30. 12-May-2026 FILED: Motion to Stay Appeal and Limited Remand for Fact-Finding and Supplementation of Record (Appellant Pro Per)
31. 15-May-2026 FILED: Motion to Clarify Duties and Responsibilities of Advisory Counsel; Certificate of Mailing (Appellant)
32. 18-May-2026 FILED: Conditional Notice of Appearance; Certificate of Service (Appellant)
33. 18-May-2026 FILED: Motion for Procedural Order: Request to Extend Time; Certificate of Service (Appellant)
34. 20-May-2026 ORDERED: Motion for Procedural Order: Request to Extend Time (Appellant) = GRANTED and extending the time to file a pro se supplemental brief from 05/26/2026, to 07/27/2026. 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
35. 22-May-2026 ORDERED: Motion to Clarify Duties and Responsibilities of Advisory Counsel (Appellant) = DENIED as moot. Denise McGimsey ProTem Judge - Author
36. 22-May-2026 ORDERED: Motion to Stay Appeal and Limited Remand for Fact-Finding and Supplementation of Record (Appellant Pro Per) = DENIED. Denise McGimsey ProTem Judge - Author
37. 27-May-2026 FILED: Motion For Procedural Order: Request To Expand Record To Include And Produce Additional Transcripts; Certificate of Service (Appellant)
38. 1-Jun-2026 FILED: Motion Designating Susanne Nardozzi as Court Reporter for FTR Hearings

**Court of Appeals, Division One**

**Criminal - Anders Appeal**

**1 CA-CR 25-0372**

**STATE v. MONTGOMERY**

**39 PROCEEDING ENTRIES**

39. 1-Jun-2026 ORDERED: Motion For Procedural Order: Request To Expand Record To Include And Produce Additional Transcripts (Appellant) = GRANTED and supplementing the record with transcripts for the following proceedings: (1) Arraignment held on 12/22/2023, digitally recorded; (2) Pretrial Conference held on 01/08/2024, (3) Settlement Conference held on 03/04/2024, (4) Pretrial Conference held on 03/04/2024, (5) Scheduling Conference held on 04/22/2024, digitally recorded;(6) Pretrial Hearing held on 12/04/2024, (7) Hearing Re: Motion to Continue Trial held on 12/06/2024, digitally recorded; (8) Arraignment held on 02/12/2025, digitally recorded; (9) Arraignment held on 02/24/2025, digitally recorded; (10) Status Conference held on 02/24/2025, digitally recorded; (11) Status Conference held on 04/14/2025, reported by Susanne Nardozzi; and (12) Pretrial Conference held on 05/23/2025. FURTHER ORDERED: directing court reporters Carol Dillon, Debra Upham, Penny Tardiff, Susanne Nardozzi, and Kirsten Gunn to prepare, and Lisa Chaney to arrange for the preparation of, an original and two copies of the respective transcripts and to furnish one copy to appellant's counsel, one copy to appellee's counsel, and the original to the clerk of this court by 07/01/2026, marked for filing in this appeal. FURTHER ORDERED: the supplemental opening brief is due by 08/26/2026. Denise McGimsey ProTem Judge - Author