

Court of Appeals, Division One

Criminal

1 CA-CR 26-0171

STATE v. FOSTER

Appellate Case Information

Case Filed: 2-Apr-2026

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. JUSTIN KYLE FOSTER, Appellant

(Litigant Group) JUSTIN KYLE FOSTER

- Justin Kyle Foster

Advisory Counsel for: Appellant

Mikel Steinfeld, Esq. (AZ Bar No. 24996)

CASE STATUS

May 12, 2026... Stayed (until 6/12/26)

Table with 7 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2025-122911-001, Agg Aslt- Deadly Wpn/Dang Inst, Class 3, 7.5 years, ADCRR, Sigmund G Popko, Sentencing, JURY.

3 OPEN DUE DATES

Table with 2 columns: Description, Due By. Rows include transcript due dates for various reports with due dates of Wednesday, June 17, 2026 and [1 extension].

CALENDAR

Friday MOTION CALENDAR

29-May-2026 Department M;

File date: 5/22/2026.....Motion to Supplement Record on Appeal (Appellant Pro Per)

File date: 5/22/2026.....Motion to Compel Arizona Department of Corrections to Facilitate Inmate/Appellant Access to Legal Resources (Appellant Pro Per)

6 PENDING MATTERS

Table with 2 columns: Description, Filed/Scheduled. Rows include General Motion, Order to Show Cause - Court Reporter, and another General Motion with various dates and descriptions.

Court of Appeals, Division One**Criminal****1 CA-CR 26-0171****STATE v. FOSTER****25 PROCEEDING ENTRIES**

1. 2-Apr-2026 FILED: Notice of Appeal from Maricopa County Superior Court filed 03/30/26. Notification sent to Court Reporters dated 04/01/2026.
2. 2-Apr-2026 FILED: Appellate Clerk Notice (31.2(g))
3. 3-Apr-2026 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Paula Collins and Court Reporters Catherine Turner, April Escobedo, Wendy Ricard, Kassie Kosmal, and Treva Colwell transcripts due 05/18/2026. Denise McGimsey ProTem Judge - Author
4. 10-Apr-2026 FILED: Courtesy Copy of the Designation of Record on Appeal (Appellant)
5. 13-Apr-2026 ORDERED: Paula Collins transcripts dated 11/10/2025; 01/13/2026; 01/30/2026 due by 05/28/2026. FURTHER ORDERED: Reaffirming previously set due date of 05/18/2026 for transcripts dated 03/30/2026 for Paula Collins. Hon David D Weinzweig - Author
6. 1-May-2026 FILED: Motion for Additions to the Record on Appeal (Appellant Pro Per)
7. 1-May-2026 FILED: Motion for Change of Counsel; to Represent Myself Pro Per; to Request Appointment of Advisory Counsel (Appellant Pro Per)
8. 5-May-2026 FILED: Certificate of Mailing re: Motion for Additions to the Record on Appeal
9. 6-May-2026 FILED: Request for Extension of Time to File Transcript (Wendy Ricard)
10. 7-May-2026 ORDERED: Request for Extension of Time to File Transcript (Wendy Ricard) = GRANTED. Due date EXTENDED from Monday, 05-18-2026 to Wednesday, 06-17-2026 (Transcript for 02/24/2026 by Reporter Wendy C Ricard or OSC set on 07/01/2026 Hon David D Weinzweig - Author
11. 12-May-2026 ORDERED: The Maricopa County Public Defender shall remain as advisory counsel for appellant in this appeal. FURTHER ORDERED: Staying this appeal until 06/11/2026, revesting jurisdiction in superior court to conduct a "Faretta-like hearing" and determine whether appellant's waiver of counsel on appeal is made knowingly, intelligently, and voluntarily. FURTHER ORDERED: Stay will be automatically lifted on 06/12/2026. FURTHER ORDERED: This order does not affect court reporter obligations to prepare and file timely all transcripts due. FURTHER ORDERED: After superior court makes its determination, this court will enter appropriate orders directing advisory counsel to provide paper copies of transcripts and record on appeal to appellant. FURTHER ORDERED: The court will consider appellant's motion for additions to the record after the stay is lifted. Denise McGimsey ProTem Judge - Author
12. 12-May-2026 FILED: Reporter's Transcript - 02/19/2026 - Jury Trial (Catherine Turner)
13. 13-May-2026 FILED: Reporter's Transcripts - 2/26/2026 - Trial - Day 5 (Treva B. Colwell)
14. 13-May-2026 FILED: Additional Record on Appeal
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
15. 13-May-2026 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 85
Digital Exhibits: Hearing Date 02/24/2026 List # P2 P3 P4 P8
Hearing Date 02/23/2026 List # P7
16. 18-May-2026 FILED: Reporter's Transcript - 01/13/2026 (Kelly Meier)
17. 18-May-2026 FILED: Reporter's Transcript - 01/30/2026 (Amy Deutsch)
18. 18-May-2026 FILED: Reporter's Transcript - 11/10/2025 (Lisa Owens)
19. 18-May-2026 FILED: Reporter's Transcript - 03/30/2026 - (Michelle L. Coronado)
20. 18-May-2026 FILED: First Request for Extension of Time to File Transcript (Kassie Kosmal)
21. 18-May-2026 FILED: Request for Extension of Time to File Transcript (April Escobedo)
22. 19-May-2026 ORDERED: First Request for Extension of Time to File Transcript = GRANTED. Due date EXTENDED from Thursday, 05-14-2026 to Wednesday, 06-17-2026 (Transcript for 02/25/2026 by Reporter Kassie Kosmal) or OSC set on 07/01/2026 Hon David D Weinzweig - Author
23. 19-May-2026 ORDERED: Request for Extension of Time to File Transcript April Escobedo = GRANTED. Due date EXTENDED from Monday, 05-18-2026 to Wednesday, 06-17-2026 (Transcript for 02/23/2026 by Reporter April M Escobedo) OSC set on 07/01/2026 Hon David D Weinzweig - Author
24. 22-May-2026 FILED: Motion to Compel Arizona Department of Corrections to Facilitate Inmate/Appellant Access to Legal Resources (Appellant Pro Per)
25. 22-May-2026 FILED: Motion to Supplement Record on Appeal (Appellant Pro Per)