

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0192

STATE v. JAMES

Appellate Case Information

Case Filed: 6-Mar-2025

Case Closed:

Dept/Composition

Department A

Hon. Samuel A Thumma
Hon. Kent E Cattani
Hon. Andrew J Becke

Side 1. STATE OF ARIZONA, Plaintiff/Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Plaintiff/Appellee

Matthew J Smith, Esq. (AZ Bar No. 10467)
Jason Mitchell, Esq. (AZ Bar No. 35878)

Side 2. JOHN ASHLEY JAMES, Defendant/Appellant

(Litigant Group) JOHN ASHLEY JAMES

- John Ashley James

Attorneys for: Defendant/Appellant

Chad Joshua Winger, Esq. (AZ Bar No. 22767)

CASE STATUS

Apr 2, 2026.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, S8015CR202100621, Commitment ARS 13-4521, Douglas Camacho, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-26-0104-PR

CASE DECISION

03-Mar-2026 MEMORANDUM DECISION

Samuel Thumma.....Author
Andrew Becke.....Concur
Kent Cattani.....Concur

Filed: 03-Mar-2026 Mandate:

Decision Disposition

Affirmed

41 PROCEEDING ENTRIES

- 1. 4-Jun-2024 FILED: e-Record on Appeal:(1CA-CR24-0309) Instruments/Minute Entries: Exhibits: Hearing Date: 05/06/2024 List # A1 A5 A11 A12; Hearing Date: 05/07/2024 List # A8 A9 A15 A16;Hearing Date: 05/08/2024 List # A6 A7 A17; Hearing Date: 01/12/2024 List # C1 C2 C3 C4 C5 C6
2. 19-Jul-2024 FILED: e-Record on Appeal: (1CA-CR24-0398) Instruments/Minute Entries Exhibits Hearing Date: 05/07/2024 List # A8 A9 A15 A16 Hearing Date: 05/08/2024 List # A6 A7 A17 Hearing Date: 01/12/2024 List # C1 C2 C3 C4 C5 C6
Digital Exhibits: Hearing Date: 05/06/2024 List # A1 A5 A11 A12
3. 26-Nov-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
4. 6-Mar-2025 FILED: Index of Record, Notice of Appeal from Mohave County Superior Court filed 05/21/24
5. 7-Mar-2025 ORDERED: directing parties to use the following case number on all communication with the court in this matter: 1 CA-CV 25-0192. FURTHER ORDERED: 1 CA-CV 25-0192 shall be associated with all records filed in the previously consolidated criminal appeal. FURTHER ORDERED: appellant must pay filing fee by 3/21/25. FURTHER ORDERED: if parties want to include transcripts not previously filed in criminal appeal, parties must order those transcripts, make financial arrangements, file them with the court and serve the other parties within five days of receipt. FURTHER ORDERED: waiving case management statement requirement. FURTHER ORDERED: Criminal Appeals Section of Arizona Attorney General's Office must provide court name of agency representing appellee by 3/14/25. FURTHER ORDERED: confirming answering brief is due by 5/5/25. Hon David B Gass - Author
6. 7-Mar-2025 FILED: Notice of Appearance; Certificate of Service (Appellee)

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 25-0192****STATE v. JAMES****41 PROCEEDING ENTRIES**

7. 21-Mar-2025 FILED: Plaintiff/Appellee [sic] Unopposed Motion for Procedural Order to Extend Time to File Answering Brief 30 days to June 4, 2025; Certificate of Service (Appellee)
8. 27-Mar-2025 FILED: Motion for Procedural Order Waiving Civil Filing Fee; Certificate of Service (Appellant)
9. 2-Apr-2025 ORDERED: Motion for Procedural Order Waiving Civil Filing Fee (Appellant) = GRANTED and waiving the filing fee of \$330.00. Hon David B Gass - Author
10. 2-Apr-2025 ORDERED: Plaintiff/Appellee [sic] Unopposed Motion for Procedural Order to Extend Time to File Answering Brief 30 days to June 4, 2024 (Appellee) = GRANTED and extending the time to file the answering brief from 05/05/2025 to 06/04/2025. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
11. 16-Apr-2025 FILED: Appellate Clerk Notice re: No Appellee's Fee; Appellee's Brief Due
12. 16-Apr-2025 FILED: Settlement Conference Program Notice
13. 3-Jun-2025 FILED: Answering Brief of Appellee, State of Arizona; Certificate of Compliance; Certificate of Service (Appellee)
14. 4-Jun-2025 FILED: Motion for Procedural Order for 20-Day Extension of Time to File Reply Brief; Untitled (Certificate of Service) (Appellant)
15. 5-Jun-2025 ORDERED: Motion for Procedural Order for 20-Day Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 06-23-2025 to Monday, 07-14-2025. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
16. 11-Jul-2025 FILED: Motion for Procedural Order for Extension of Time of 5 Days to File Reply Brief; Certificate of Service (Appellant)
17. 14-Jul-2025 ORDERED: Motion for Procedural Order for Extension of Time of 5 Days to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-14-2025 to Friday, 07-18-2025. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
18. 17-Jul-2025 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
19. 25-Aug-2025 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20. 26-Aug-2025 CLNDR: CONFERENCE, Department A, 10-14-25, CONFERENCE ROOM.
21. 5-Sep-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record
22. 15-Sep-2025 ORDERED: Vacating the conference currently set for 10/14/2025 and resetting the conference in this matter for 11/18/2025. FURTHER ORDERED: Setting oral argument on 11/18/2025, at 10:15 a.m. before Department A, in Courtroom 1, State Courts Building, 1501 W. Washington St., Phoenix, AZ. Each side is allocated 20 minutes within which to present oral argument. Hon Paul J McMurdie - Author  
  
[Vacated per order filed 11/13/2025]
23. 16-Sep-2025 FILED: Notice of Substitution of Counsel Within the Same Government Office; Certificate of service (Appellee)
24. 22-Sep-2025 FILED: Return receipt for Notice of Oral Argument, signed by Chad Joshua Winger on 09/22/2025 (Appellant)
25. 16-Oct-2025 FILED: Return Receipt for Notice of Oral Argument, signed by Jason Mitchell on 10/16/2025 (Appellee)
26. 3-Nov-2025 FILED: Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
27. 10-Nov-2025 FILED: Motion for Procedural Order to Postpone and Reset Oral Argument; Certificate of Service (Appellant)
28. 13-Nov-2025 ORDERED: Motion for Procedural Order to Postpone and Reset Oral Argument (Appellant) = GRANTED. FURTHER ORDERED: Vacating the conference and oral argument currently set for 11/18/2025. Given the approaching retirement of Judge McMurdie, a substitute judge will be appointed by the Court's Chief Judge. Upon the substitute judge's appointment, the reconstituted panel will determine the date and time for the conference and oral argument. The court will issue a future order establishing a new date for the conference and oral argument. Hon Paul J McMurdie - Author
29. 13-Nov-2025 FILED: Memorandum: Judge Becke for Judge McMurdie (Chief Judge Howe)
30. 18-Nov-2025 ORDERED: Vacating the conference and the oral argument scheduled for Tuesday, 11/18/2025, at 10:15 a.m. and rescheduling the conference and the oral argument for Tuesday, 01/20/2026 at 10:15 a.m.. before Department A, Courtroom #2. FURTHER ORDERED: Each side shall have twenty minutes to present oral argument. Hon Samuel A Thumma - Author
31. 1-Dec-2025 FILED: Return Receipt for Notice of Oral Argument, signed by Chad Winger on 12/01/2025 (Appellant)
32. 11-Dec-2025 FILED: Return Receipt Re Oral Argument, signed by Jason Mitchell, on 11/18/25 (Appellee)
33. 12-Jan-2026 FILED: Second Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
34. 20-Jan-2026 FILED: Sign-in Sheet/Case is Under Advisement as of 01/20/2026
35. 27-Feb-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 25-0192**

**STATE v. JAMES**

**41 PROCEEDING ENTRIES**

- 36. 3-Mar-2026 MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon Andrew J Becke - Concur; Hon Kent E Cattani - Concur
- 37. 3-Mar-2026 FILED: Decision Distribution Notification
- 38. 6-Apr-2026 FILED: Email Notice from ASC re: Petition for Review filed 04/02/2026; request for partial record
- 39. 6-Apr-2026 FILED: Letter forwarding partial record to Arizona Supreme Court
- 40. 13-Apr-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record
- 41. 24-Apr-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record