

Court of Appeals, Division One

Special Action

1 CA-SA 23-0182

RODRIGUEZ-RAMIREZ v. HON CULBERTSON/STATE

Appellate Case Information

Case Filed: 28-Aug-2023

Case Closed:

Dept/Composition

Department B

Hon. Michael J Brown
Hon. Andrew M Jacobs
Hon. David B Gass

Side 1. MARIO RODRIGUEZ-RAMIREZ, Petitioner

(Litigant Group) RODRIGUEZ-RAMIREZ

- Mario Rodriguez-Ramirez

Attorneys for: Petitioner

Natalee E Segal, Esq. (AZ Bar No. 16775)
Nicholas Alexander Bustamante, Esq. (AZ Bar No. 37015)
Jocquese L Blackwell, Esq. (AZ Bar No. 23588)

Side 2. THE HONORABLE KRISTIN CULBERTSON, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judge,

STATE OF ARIZONA,

Real Party in Interest,, Respondent

(Litigant Group) HON CULBERTSON

- Hon. Kristin Culbertson, Respondent Judge

(Litigant Group) STATE

- State of Arizona, Real Party in Interest

Attorney for: Real Party in Interest

Quinton S Gregory, Esq. (AZ Bar No. 35125)

Side 3. AZ ATTORNEYS FOR CRIMINAL JUSTICE, Amicus Curiae

(Litigant Group) AZ ATTORNEYS FOR CRIMINAL JUSTICE

- Arizona Attorneys for Criminal Justice

Attorneys for: Amicus Curiae AZ Attorneys

Austin C Yost, Esq. (AZ Bar No. 34602)
Andrew Fox, Esq. (AZ Bar No. 34581)

Side 4. FIRST LIBERTY, Amicus Curiae

(Litigant Group) FIRST LIBERTY

- First Liberty Institute

Attorney for: Amicus Curiae First Liberty

Andrew W. Gould, Esq. (AZ Bar No. 13234)

Side 5. AZ ATTORNEY GENERAL, Amicus Curiae

(Litigant Group) AZ ATTORNEY GENERAL

- Arizona Attorney General's Office

Attorney for: Amicus Curiae AZ Attorney General

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

Side 6. MARICOPA COUNTY PD, Amicus Curiae

(Litigant Group) MARICOPA COUNTY PD

- Maricopa County Public Defender's Office

Attorneys for: Amicus Curiae MCPD

Mikel Steinfeld, Esq. (AZ Bar No. 24996)
Kristen Reller, Esq. (AZ Bar No. 36470)

CASE STATUS

Sep 19, 2023....Under Advisement

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2021-101028-001, Kristin Culbertson, Authoring Judge of Order

PENDING MATTER

Petition for Special Action

Filed: 28-Aug-2023

\* Petition for Special Action Review (Petitioner)

**Court of Appeals, Division One****Special Action****1 CA-SA 23-0182****RODRIGUEZ-RAMIREZ v. HON CULBERTSON/STATE****22 PROCEEDING ENTRIES**

1. 28-Aug-2023 FILED: Petition for Special Action Review; Certificate of Compliance Special Action Petition; Petition for Special Action Party Contact Information; Minute Entry Denial (Penitent Clergy) (Petitioner)
2. 28-Aug-2023 FILED: Appendix Petition for Special Action (Petitioner)
3. 28-Aug-2023 FILED: Office of Contract Counsel Appointment Sheet (Petitioner)
4. 28-Aug-2023 FILED: Order Setting Dates/petition set for am of 9/19/23 by Dept B, Judges Brown, Jacobs, Gass
5. 7-Sep-2023 FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Real Party in Interest)
6. 14-Sep-2023 FILED: Reply To State's Response To Petitioner's Petition For Special Action; Certificate of Compliance Special Action Response; Certificate of Service Reply Special Action (Petitioner)
7. 2-Oct-2023 FILED: Petitioner's Request Stay Trial Pending Special Action Review (Expedited Review Requested); Certificate of Service - Petitioner's Request Stay Trial Pending Special Action Review (Expedited Review Requested); Copy of Minute Entry filed 8/28/2023 (dated 8/24/2023) Re: Denying Defendant's Motion to Stay (Petitioner)
8. 2-Oct-2023 ORDERED: Setting oral argument in this matter on Tuesday, 11/28/2023, at 9:30 a.m. in Courtroom 1, State Courts Building, 1501 W. Washington St., Phoenix, AZ. Hon Michael J Brown - Author
9. 2-Oct-2023 FILED: Return Receipt Re Oral Argument, signed by Quinton S. Gregory on 10/02/2023 (Real Party in Interest)
10. 2-Oct-2023 ORDERED: Petitioner's Request Stay Trial Pending Special Action Review (Expedited Review Requested) (Petitioner) = GRANTING Petitioner's request and staying the trial in this matter until this court's resolution of the special action. FURTHER ORDERED: Affirming all dates for further briefing as previously ordered. FURTHER ORDERED: Affirming the conference and oral argument scheduled before Department B on Tuesday, 11/28/2023. Hon Michael J Brown - Author
11. 2-Oct-2023 ORDERED: The supplementary briefing will address the following issues (see order). FURTHER ORDERED: That no later than 10/13/2023, all parties shall file simultaneous supplemental briefs of 2,000 words or less. The supplemental briefs need not include a statement of facts, and the parties may reference relevant facts by referring to their previously submitted briefs. See ARCAP 3(a). FURTHER ORDERED: Inviting interested parties or organizations to file amicus briefs setting forth their respective positions on the 3 issues presented. Any such amicus brief must be filed no later than 10/27/2023, and shall be limited to no more than 2,000 words. The amicus brief need only include an "argument" and a "conclusion" and may omit the other parts listed in ARCAP 13(a). The court encourages the Attorney General of the State of Arizona and the Maricopa County Public Defender's Office to file amicus briefs. Also, the court's invitation for amicus briefing extends, but is not limited, to the Arizona Attorneys for Criminal Justice, the Arizona Prosecuting Attorneys' Advisory Council, the American Civil Liberties Union of Arizona, the Goldwater Institute, the American Center for Law and Justice, the Becket Fund for Religious Liberty, and the First Liberty Institute. FURTHER ORDERED: Any parties' response to an amicus brief shall be filed no later than 11/08/2023, and shall be limited to no more than 1,000 words. FURTHER ORDERED: That motions for extension of time will not be entertained. FURTHER ORDERED: That the Clerk of the Court is directed to endorse a copy of this order on all parties in the superior court proceedings and the interested parties/organizations listed above, including the Attorney General of the State of Arizona and the Maricopa County Public Defender's Office. FURTHER ORDERED: That upon submission of the briefs ordered above, this court shall re-conference the case. As indicated in a separate order, oral argument will be held on Tuesday, 11/28/2023. Hon Michael J Brown - Author
12. 13-Oct-2023 FILED: State Of Arizona's Supplemental Brief Answering Questions Issued By The Court; Certificate Of Compliance: State Of Arizona's Supplemental Brief; Certificate Of Service: State Of Arizona's Supplemental Brief (Real Party in Interest)
13. 13-Oct-2023 FILED: Petitioner's Supplemental Brief; Certificate of Compliance; Certificate of Service (Petitioner)
14. 27-Oct-2023 FILED: Brief Of Amicus Curiae Arizona Attorneys For Criminal Justice In Support Of Mario Rodriguez-Ramirez; Certificate of Compliance; Certificate of Service; Consent of Parties (Amicus Curiae AZ Attorneys for Criminal Justice)
15. 27-Oct-2023 FILED: Amicus Brief; Certificate of Compliance; Certificate of Service (Amicus Curiae First Liberty)
16. 27-Oct-2023 FILED: Brief For Amicus Curiae Arizona Attorney General; Certificate of Compliance; Certificate of Service (Appellee AZ Attorney General)
17. 27-Oct-2023 FILED: Amicus Curiae Brief Of The Maricopa County Office Of The Public Defender; Certification Of Compliance With Rule 31.12, ARCP; Certificate of Service (Amicus Curiae Maricopa County Public Defender)
18. 8-Nov-2023 FILED: Petitioner's Response To Amici Briefs Submitted; Certificate Of Compliance Petitioner's Response To Amici Briefs Submitted; Certificate Of Service Petitioner's Response To Amici Briefs Submitted (Petitioner)
19. 22-Nov-2023 FILED: Return Receipt for Notice of Oral Argument, signed by Nicholas Bustamante on 11/22/2023 (Petitioner)
20. 28-Nov-2023 FILED: Sign-in Sheet/Case is Under Advisement as of 11/28/23

**Court of Appeals, Division One**

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**22 PROCEEDING ENTRIES**

- 21. 28-Nov-2023 FILED: Notice: Petitioner and State's Simultaneous Briefings on Motion to Suppress Statements Made in Violation of A.R.S. 13-4062(3); Certificate of Service Notice: Petitioner and State's Simultaneous Briefings on Motion to Suppress Statements Made in Violation of A.R.S. 13-4062(3) (Petitioner)
- 22. 16-Aug-2024 FILED: Notice of Substitution of Counsel; Certificate of Service (Amicus Curiae AG)