

Court of Appeals, Division One

Special Action

1 CA-SA 24-0067

CARSON v. HON GENTRY/STATE

Appellate Case Information

Case Filed: 26-Mar-2024

Case Closed:

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe

Side 1. JOEL CARSON, Petitioner

(Litigant Group) CARSON

- Joel McClain Carson

Attorney for: Petitioner

Kush Govani, Esq. (AZ Bar No. 32425)

Side 2. THE HONORABLE JO LYNN GENTRY, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judge,

STATE OF ARIZONA ex rel. RACHEL MITCHELL, Maricopa County Attorney,

Real Party in Interest., Respondent

(Litigant Group) HON GENTRY

- Hon. Jo Lynn Gentry, Respondent Judge

(Litigant Group) STATE

- State of Arizona, Real Party in Interest

Attorneys for: Real Party in Interest

Christine A Davis, Esq. (AZ Bar No. 21046)

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

CASE STATUS

Sep 9, 2024.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2022-006384-001, Jo Lynn Gentry, Authoring Judge of Order

Table with 2 columns: DESCENDENT CASE(S), Cause/Charge/Class. Row 1: ASC, CR-24-0191-PR

2 CASE DECISIONS

22-Apr-2024 ORDER

ORDERED: Petition for Special Action (Petitioner) = JURISDICTION ACCEPTED.

Filed: 22-Apr-2024

Mandate:

Randall Howe.....Author

Decision Disposition
Jurisdiction Accepted
Relief Granted

09-Jul-2024 OPINION

Randall Howe.....Author
Anni Foster.....Concur
Brian Furuya.....Concur

Filed: 09-Jul-2024

Mandate:

Decision Disposition
Jurisdiction Accepted
Relief Granted

35 PROCEEDING ENTRIES

- 1. 26-Mar-2024 FILED: Petition for Special Action; Certificate of Compliance; Petition for Special Action Party Contact Information (Petitioner)
2. 26-Mar-2024 FILED: (Untitled) Appendix (Petitioner)
3. 26-Mar-2024 FILED: Motion to Seal Appendix; Certificate of Service (Petitioner)

**Court of Appeals, Division One**

**Special Action**

**1 CA-SA 24-0067**

**CARSON v. HON GENTRY/STATE**

**35 PROCEEDING ENTRIES**

4. 26-Mar-2024 FILED: Order re Indigency (Petitioner)
5. 26-Mar-2024 FILED: Appendix T Filed Under Seal (Sealed)
6. 26-Mar-2024 FILED: Special Action Clerk Notice (Assigned to Dept E, Judges Foster, Furuya, Howe)
7. 26-Mar-2024 FILED: Special Action Stay Hearing Scheduling Requirements
8. 26-Mar-2024 FILED: Certificate of Service (Petitioner)
9. 29-Mar-2024 FILED: Notice of Appearance; Certificate of Service (Real Party in Interest)
10. 4-Apr-2024 FILED: State's Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Real Party in Interest)
11. 4-Apr-2024 FILED: Appendix To State's Response To Petition for Special Action (Real Party in Interest)
12. 4-Apr-2024 FILED: Notice Of Related Cases In Special Action; Certificate of Service (Real Party in Interest)
13. 8-Apr-2024 FILED: Reply to State's Response; Certificate of Compliance; Certificate of Service (Petitioner)
14. 11-Apr-2024 ORDERED: Directing the parties to file the order (in MH 2022-005218) with this court no later than 4/18/24. Hon Anni Hill Foster - Author
15. 17-Apr-2024 FILED: Notice of Filing and Supplemental Memorandum; Certificate of Service (Petitioner)
16. 17-Apr-2024 FILED: Motion to Seal; Certificate of Service (Petitioner)
17. 17-Apr-2024 FILED: Appendices U & V Filed Under Seal (Filed Under Seal)
18. 18-Apr-2024 FILED: Emergency Motion for Stay; Certificate of Service (Petitioner)
19. 18-Apr-2024 FILED: Appendices (Petitioner)
20. 22-Apr-2024 ORDERED: Petition for Special Action (Petitioner) = JURISDICTION ACCEPTED. FURTHER ORDERED: Vacating the superior court's orders granting the State permission to refile charges against Petitioner and denying Petitioner's motion for reconsideration of that ruling. FURTHER ORDERED: staying this order for 14 days. FURTHER ORDERED: Emergency Motion for Stay (Petitioner) = DENIED as moot. Hon Randall M Howe - Author
21. 22-Apr-2024 ORDERED: Motion to Seal Appendix (Petitioner) and Motion to Seal (Petitioner) = GRANTED and accepting the appendices filed under seal. Hon Randall M Howe - Author
22. 2-May-2024 FILED: State's Emergency Request To Extend Stay; Certificate of Service (Real Party in Interest)
23. 3-May-2024 ORDERED: State's Emergency Request To Extend Stay (Real Party in Interest) = GRANTED and extending the stay until 5/20/24. Hon Randall M Howe - Author
24. 16-May-2024 FILED: State's Emergency Request To Extend Stay; Certificate of Service (Real Party in Interest)
25. 17-May-2024 ORDERED: State's Emergency Request To Extend Stay (Real Party in Interest) = GRANTED and extending the stay until further notice of this court. Hon Randall M Howe - Author
26. 4-Jun-2024 FILED: Motion to Vacate Stay; Certificate of Service (Petitioner)
27. 17-Jun-2024 FILED: State's Response to Motion to Vacate Stay; Certificate of Service (Real Party in Interest)
28. 9-Jul-2024 OPINION (Jurisdiction Accepted, Relief Granted) Hon Randall M Howe - Author; Hon Anni Hill Foster - Concur; Hon Brian Y Furuya - Concur
29. 9-Jul-2024 FILED: Decision Distribution Notification
30. 9-Jul-2024 ORDERED: Motion to Vacate Stay (Petitioner) = GRANTED. Hon Anni Hill Foster - Author
31. 26-Jul-2024 FILED: Motion to Extend Time for Filing a Petition for Review of Court's Opinion (Unopposed Motion); Certificate of Service (Real Party in Interest)
32. 30-Jul-2024 FILED: ASC Order filed 07/30/2024 re: extending time for filing Petition for Review to 09/09/2024.
33. 4-Sep-2024 FILED: ASC Order consolidating case number CR-24-0191-PR and CR-24-0207-PR. FURTHER ORDERED: State's petition for review in the consolidated matter due on or before 9/9/24.
34. 9-Sep-2024 FILED: Email Notice from ASC re: Petition for Review filed 09/09/2024; request for partial record

**Court of Appeals, Division One**

**Special Action**

**1 CA-SA 24-0067**

**CARSON v. HON GENTRY/STATE**

**35 PROCEEDING ENTRIES**

35. 10-Sep-2024 FILED: Letter forwarding partial record to Arizona Supreme Court