

Court of Appeals, Division One

Special Action

1 CA-SA 26-0024

STATE v. KIRBY

Appellate Case Information

Case Filed: 16-Jan-2026

Case Closed:

Dept/Composition

Department C

Hon. Andrew M Jacobs
Hon. Brian Y Furuya
Hon. James B Morse Jr.

Side 1. STATE OF ARIZONA, Petitioner

(Litigant Group) STATE

- State of Arizona

Attorney for: Petitioner

Johnny Jacquez, Esq. (AZ Bar No. 37963)

Side 2. CHRISTOPHER RYNEL KIRBY aka CHRISTOPHER KIRBY, Respondent

(Litigant Group) KIRBY

- Christopher Rynel Kirby

Attorney for: Respondent

Kerrie M Droban Zhivago, Esq. (AZ Bar No. 16464)

CASE STATUS

May 21, 2026... Decision Rendered

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2024-006497-001, William R Wingard, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration Due

Due By:

Friday, June 5, 2026

Re: ORDERED: lifting the stay entered 1/26/26. FURTHER ORDERED: Petition for Special Action (Petitioner) = JURISDICTION ACCEPTED. FURTHER ORDERED: DENYING RELIEF. Hon James B Morse Jr. - Author

Petition for Review to ASC Due

Due By:

Monday, June 22, 2026

Re: ORDERED: lifting the stay entered 1/26/26. FURTHER ORDERED: Petition for Special Action (Petitioner) = JURISDICTION ACCEPTED. FURTHER ORDERED: DENYING RELIEF. Hon James B Morse Jr. - Author

CASE DECISION

21-May-2026 ORDER

ORDERED: lifting the stay entered 1/26/26. FURTHER ORDERED: Petition for Special Action (Petitioner) = JURISDICTION ACCEPTED. FURTHER ORDERED: DENYING RELIEF.

Filed: 21-May-2026

Mandate:

Decision Disposition

Jurisdiction Accepted
Relief Denied

James Morse Jr.....Author

8 PROCEEDING ENTRIES

- 1. 16-Jan-2026 FILED: Petition for Special Action; Certificate of Compliance; Party Contact Sheet: Petition for Special Action; Cover Sheet - Appellate Special Action (Petitioner)
2. 16-Jan-2026 FILED: Appendix (Petitioner)
3. 16-Jan-2026 FILED: Special Action Clerk Notice (Assigned to Dept C, Judges Jacobs, Furuya, Morse Jr.)
4. 16-Jan-2026 FILED: Special Action Stay Hearing Scheduling Requirements
5. 21-Jan-2026 FILED: Partially Unopposed Motion for Procedural Order to Consolidate Special Action Proceedings; Certificate of Service (Petitioner)
6. 26-Jan-2026 ORDERED: Staying further proceedings in State v. Kirby, 1 CA-SA 26-0024, pending resolution of State v. Blackwell, 1 CA-SA 25-0316. Hon Andrew M Jacobs - Author
7. 3-Mar-2026 FILED: Notice of Appearance; Certificate of Service (Respondent)
8. 21-May-2026 ORDERED: lifting the stay entered 1/26/26. FURTHER ORDERED: Petition for Special Action (Petitioner) = JURISDICTION ACCEPTED. FURTHER ORDERED: DENYING RELIEF. Hon James B Morse Jr. - Author