

Arizona Supreme Court
Criminal Petition for Review-Post Conviction (ASC)

CR-23-0267-PR

STATE OF ARIZONA v DANNY JACOBS

Appellate Case Information

Case Filed: 20-Oct-2023
 Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Respondent

Philip D Garrow, Esq. (AZ Bar No. 22458)

Side 2. DANNY JACOBS, Petitioner

(Litigant Group) DANNY JACOBS

- Danny Jacobs

Attorneys for: Petitioner

Molly A Karlin, Esq. (AZ Bar No. 32902)
 Jon M Sands, Esq. (AZ Bar No. 10441)
 Colin M Proksel, Esq. (AZ Bar No. 34133)

CASE STATUS

Oct 20, 2023.....Awaiting Petition for Review

Oct 20, 2023.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CR 23-0167 PRPC				
↳ MAR	CR2013-425900-001		Kerstin G LeMaire, Judge on PC Comments: (none)		

9 PROCEEDING ENTRIES

- 20-Oct-2023 FILED: Unopposed Motion for Procedural Order Extending Time to File Petition for Review; Certificate of Service (Petitioner Jacobs)
- 20-Oct-2023 An "Unopposed Motion for Procedural Order Extending Time to File Petition for Review" (Petitioner Jacobs) having been filed on October 20, 2023,

IT IS ORDERED granting a first extension of time to file the petition for review on or before January 24, 2024. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by January 24, 2024. (Tracie K. Lindeman Clerk)
- 30-Nov-2023 FILED: Unopposed Second Motion for Procedural Order Extending Time to File Petition for Review; Certificate of Service (Petitioner Jacobs)
- 1-Dec-2023 An "Unopposed Second Motion for Procedural Order Extending Time to File Petition for Review" (Petitioner Jacobs) having been filed on November 30, 2023,

IT IS ORDERED granting a second extension of time to file the petition for review on or before April 23, 2024. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by April 23, 2024. (Tracie K. Lindeman Clerk)
- 2-Apr-2024 FILED: Unopposed Third Motion for Procedural Order Extending Time to File Petition for Review; Certificate of Service (Petitioner Jacobs)
- 3-Apr-2024 An "Unopposed Third Motion for Procedural Order Extending Time to File Petition for Review" (Petitioner Jacobs) having been filed on April 02, 2024,

IT IS ORDERED granting a third extension of time to file the petition for review on or before July 22, 2024. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by July 22, 2024. (Hon. Clint Bolick)
- 12-Jul-2024 FILED: Notice of Appearance of Additional Counsel; Certificate of Service (Petitioner Jacobs)

Arizona Supreme Court
Criminal Petition for Review-Post Conviction (ASC)

CR-23-0267-PR

STATE OF ARIZONA v DANNY JACOBS

9 PROCEEDING ENTRIES

8. 12-Jul-2024 FILED: Unopposed Fourth Motion for Procedural Order Extending Time to File Petition for Review; Certificate of Service (Petitioner Jacobs)
9. 22-Jul-2024 On July 12, 2024, Petitioner Jacobs filed an "Unopposed Fourth Motion for Procedural Order Extending Time to File Petition for Review" requesting a sixty-day extension of time to file a petition for review. The motion advises that the State has no objection to the requested extension.
- The court of appeals' memorandum decision in this matter was filed on September 26, 2023, nearly ten months ago. Since then, Petitioner's counsel has sought and received three prior ninety-day extensions of time to file a petition for review. Each time, counsel stated that good cause or extraordinary circumstances existed that warranted the requested extension. Each motion stated that counsel's ability to prepare the petition for review "has been and will be substantially hampered by other case obligations that could not or cannot [or should not] be delayed." Additionally, Petitioner's prior motion to extend advised that counsel was in the process of engaging pro bono co-counsel with substantial experience practicing before this Court.
- In the present motion to extend, counsel advises that pro bono co-counsel has now been engaged. Co-counsel filed a notice of appearance simultaneously with the present motion to extend. Counsel states that the newly-engaged co-counsel requires additional time to prepare the petition for review because his ability to prepare the petition for review by the current deadline — July 22, 2024 — "has been and will be substantially hampered by substantial preexisting case obligations." The motion to extend also asserts that lead counsel has other "upcoming obligations in cases involving incarcerated prisoners, which obligations cannot or should not, for reasons of fairness and justice, be delayed." While the Court appreciates counsels' current obligations and that Petitioner is currently not in custody, this case cannot be delayed indefinitely. Upon consideration,
- IT IS ORDERED granting one final extension of time, up to and including September 20, 2024, to file the petition for review.
- Counsel should note that no further extensions of time will be granted. This matter will be dismissed on Monday, September 23, 2024, if the petition for review is not filed by Friday, September 20, 2024. (Hon. Kathryn H. King)