

Arizona Supreme Court
Criminal Petition for Review - Special Action

CR-24-0207-PR

STATE OF ARIZONA v HON. LEMAIRE/CARSON

Appellate Case Information

Case Filed: 13-Aug-2024
 Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Petitioner

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Petitioner

Rachel H Mitchell, Esq. (AZ Bar No. 14560)
 Bradley F Perry, Esq. (AZ Bar No. 25682)

Side 2. HON. KERSTIN LEMAIRE, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Maricopa, Respondent Judge

(Litigant Group) HON. KERSTIN LEMAIRE, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Maricopa

- Hon Kerstin G LeMaire, Maricopa County Superior Court

Side 3. JOEL MCCLAIN CARSON, Real Party in Interest

(Litigant Group) JOEL MCCLAIN CARSON

- Joel McClain Carson

Attorneys for: Real Party in Interest

Kush Govani, Esq. (AZ Bar No. 32425)
 John Champagne, Esq. (AZ Bar No. 29720)

CASE STATUS

Aug 13, 2024...Awaiting Petition for Review

Aug 13, 2024...Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-SA 24-0089					
↳ MAR CR2023-000872-001			Kerstin G LeMaire, Authoring Judge of Order Comments: (none)		

3 PROCEEDING ENTRIES

- 13-Aug-2024 FILED: Motion for Procedural Order to Consolidate Petitions for Review or Align Dates; Certificate of Service (Petitioner State)
- 14-Aug-2024 A "Motion for Procedural Order to Consolidate Petitions for Review or Align Dates" (Petitioner State) having been filed on August 13, 2024,

IT IS ORDERED granting an extension of time to file the petition for review on or before September 9, 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 September 9, 2024. The deadline to respond to the Motion to Consolidate is pending. (Tracie K. Lindeman Clerk)

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3 PROCEEDING ENTRIES

3. 4-Sep-2024 On August 9, 2024, in CR-24-0191-PR, Carson v. Hon. Gentry/State of Arizona, Real Party in Interest State of Arizona ("State") filed a "Motion for Procedural Order to Consolidate Petitions for Review," requesting that the Court consolidate two current cases, CR-24-0191-PR and CR-24-0207-PR.
- On August 13, 2024, in CR-24-0207-PR, State of Arizona v. Hon. LeMaire/Carson, the State filed a "Motion for Procedural Order to Consolidate Petitions for Review," requesting that the Court consolidate the same two matters.
- In each motion to consolidate, the State urges that "[a]llowing a consolidated petition for review will streamline the process and ensure both cases, which are inextricably linked, follow the same procedural timeline. It will also allow the parties to more clearly illustrate how the interconnected appellate and superior court rulings impact their interests."
- Joel McClain Carson, who is the Petitioner in CR-24-0191-PR, Carson v. Hon. Gentry/State, and the Real Party in Interest in CR-24-0207-PR, State of Arizona v. Hon. LeMaire/Carson, did not file a response to either motion to consolidate.
- Upon consideration, and good cause appearing,
- IT IS ORDERED granting the motions to consolidate and consolidating case number CR-24-0191-PR and case number CR-24-0207-PR, and designating CR-24-0191-PR as the primary case number.
- IT IS FURTHER ORDERED amending the caption as referenced in this order. Any further filings in this matter shall reflect the consolidated caption.
- IT IS FURTHER ORDERED affirming that the State's petition for review in the consolidated matter is due on or before September 9, 2024, and shall otherwise comply with Arizona R.P. Spec. Act. 8(c), (e) and Rule 31.21.
- IT IS FURTHER ORDERED that Carson's response to the petition for review in the consolidated matter is due, pursuant to Rule 31.21(f)(1) on or before October 2, 2024, and shall otherwise comply with Rule 31.21.
- No further extensions of time shall be granted absent extraordinary circumstances. This consolidated matter is subject to dismissal if the consolidated petition for review is not filed by September 9, 2024. (Hon. Kathryn H. King)