

Court of Appeals, Division One

Criminal

1 CA-CR 21-0319

STATE v. WILLES

Appellate Case Information

Case Filed: 10-Aug-2021

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Linley Wilson, Esq. (AZ Bar No. 27040)

Side 2. ARLENA MINERVA WILLES, Appellant

(Litigant Group) ARLENA MINERVA WILLES

- Arlena Minerva Willes

Advisory Counsel for: Appellant

Dawnese Hustad, Esq. (AZ Bar No. 25002)

CASE STATUS

Sep 21, 2021....Record Complete-Notice Completion Sent

| PREDECESSOR CASE (S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|-----------------------|--|--|-----------------------------|-------|-------|
| MAR CR2019-005397-001 | Child/Vul Adult Abuse , Class 2; Child/Vul Adult Abuse , Class 2 | 10 Years Supervised Probation; 10 Years Supervised Probation | Geoffrey H Fish, Sentencing | JURY | |

OPEN DUE DATE

Opening Brief Due

Due By: Tuesday, January 18, 2022

Re: FILED: Notice of Completion of Record

[2 extensions]

39 PROCEEDING ENTRIES

- 10-Aug-2021 FILED: Notice of Appeal from Maricopa County Superior Court filed 08/05/21. Notifications sent to Court Reporters dated 08/09/2021.
- 11-Aug-2021 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Court Reporters Michael Babicky and Andres Anaya transcripts due 09/27/2021. Benjamin A Armstrong ProTem Judge - Author
- 2-Sep-2021 FILED: Returned US Mail, Counsel and Transcripts dated (08/11/2021), addressed to Arlena Minerva Willes, attempted - not known.
- 9-Sep-2021 FILED: Reporter's Transcript - 06/03/2021 (Andres Anaya)
- 17-Sep-2021 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 04/15/2021 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 (ALL SEALED) in manila envelope
Hearing Date: 05/26/2021 List # 2 3 4 5 6 7 14 15 16 17 18 19 in manila envelope
Sealed Exhibit:
Confidential Criminal History Report in Sealed Manila Envelope
- 17-Sep-2021 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 168
Exhibits: None sent with e-Record
- 21-Sep-2021 FILED: Reporter's Transcripts - 07/26/2021 (Michael Babicky)
- 21-Sep-2021 FILED: Reporter's Transcripts - 06/09/2021 (Michael Babicky)
- 21-Sep-2021 FILED: Reporter's Transcripts - 06/08/2021 (Michael Babicky)
- 21-Sep-2021 FILED: Reporter's Transcripts - 06/07/2021 (Michael Babicky)
- 21-Sep-2021 FILED: Reporter's Transcript - 06/02/2021 (Michael Babicky)

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12. 21-Sep-2021 FILED: Reporter's Transcript - 06/01/2021 (Michael Babicky)
13. 21-Sep-2021 FILED: Reporter's Transcript - 05/27/2021 (Michael Babicky)
14. 21-Sep-2021 FILED: Reporter's Transcript - 05/26/2021 (Michael Babicky)
15. 21-Sep-2021 FILED: Notice of Completion of Record
16. 24-Sep-2021 FILED: Notice of Appearance; Certificate of Service (Appellant)
17. 24-Sep-2021 FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
18. 5-Oct-2021 FILED: Motion to Allow Appellant to Represent Herself; Certificate of Service (Appellant)
19. 5-Oct-2021 ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order, unsealing the Court Information Sheet (I.O.R. 3); the Medical Report of Dr. M. David McGady dated 01/18/2020 (I.O.R. 58); the Medical Report of Dr. Leslie Dana-Kirby dated 02/24/2020 (I.O.R. 59); the Medical Report of Dr. Camille Hernandez dated 02/28/2020 (I.O.R. 60); the Random Jury List (I.O.R. 153) and the Restitution Ledger Request (I.O.R. 166) to permit inspection and/or copying of these documents for use in this appeal only. Benjamin A Armstrong ProTem Judge - Author
20. 6-Oct-2021 FILED: Notice of Errata; Certificate of Service (Appellant)
21. 15-Oct-2021 ORDERED: Motion to Allow Appellant to Represent Herself (Appellant) 10/06 Notice of Errata (Appellant) = DENIED. Benjamin A Armstrong ProTem Judge - Author
22. 21-Oct-2021 FILED: Motion to Supplement Record and Request to Extend Time to File the Opening Brief; Certificate of Service (Appellant)
23. 26-Oct-2021 ORDERED: Motion to Supplement Record = GRANTED. Crystal Hereford, Wanda Bauer and Mike Babicky transcripts due by 11/24/2021. FURTHER ORDERED: Request to Extend Time to File the Opening Brief (Appellant) = GRANTED. Extending the time to file the opening brief from 11/05/2021 to 12/06/2021. Benjamin A Armstrong ProTem Judge - Author
24. 29-Oct-2021 FILED: Motion to Reconsider Appellant's Motion to Represent Herself; Certificate of Service (Appellant)
25. 10-Nov-2021 ORDERED: Motion to Reconsider Appellant's Motion to Represent Herself (Appellant) = GRANTED. FURTHER ORDERED: Directing appellant to file a written waiver of appellate counsel pursuant to Rule 31.5(f)(2). FURTHER ORDERED: Pursuant to Coleman and Arizona Rule of Criminal Procedure 31.5, staying this appeal until 12/09/2021, and revesting jurisdiction in the Maricopa County Superior Court to conduct a "Faretta-like hearing" (informing appellant of the dangers and disadvantages of self-representation) and determine whether appellant's waiver of counsel on appeal is made knowingly, intelligently, and voluntarily. FURTHER ORDERED: Directing the clerk of the superior court to transmit to this court a certified copy of the superior court's written determination regarding appellant's waiver within 5 days after entry, marked for filing in this appeal. FURTHER ORDERED: That the stay will be automatically lifted on 12/10/2021. FURTHER ORDERED: Extending the time to file the opening brief to 01/10/2022. FURTHER ORDERED: That this order does not affect court reporter obligations to prepare and timely file all transcripts due in this matter.. FURTHER ORDERED: That, after the superior court makes its determination, this court will enter appropriate orders directing advisory counsel to provide paper copies of the transcripts and record on appeal to appellant. Benjamin A Armstrong ProTem Judge - Author
26. 12-Nov-2021 FILED: Reporter's Transcript - 04/15/2021 (Wanda Bauer)
27. 22-Nov-2021 FILED: Reporter's Transcript - 05/12/2021 (Michael Babicky)
28. 22-Nov-2021 FILED: Reporter's Transcript - 05/25/2021 (Michael Babicky)
29. 22-Nov-2021 FILED: Reporter's Transcript - 11/19/2019 (Michael Babicky)
30. 22-Nov-2021 FILED: Reporter's Transcript - 05/10/2020 (Michael Babicky)
31. 22-Nov-2021 FILED: Reporter's Transcript - 05/05/2021 (Michael Babicky)
32. 22-Nov-2021 FILED: Reporter's Transcript - 05/10/2021 (Michael Babicky)
33. 23-Nov-2021 FILED: Reporter's Transcript - 08/30/2019 - Initial Pretrial Conference (Kimberly McCright)
34. 23-Nov-2021 FILED: Reporter's Transcript - 02/04/2020 - Hearing Rule 11 Notice of Appointment (Kimberly McCright)
35. 23-Nov-2021 FILED: Reporter's Transcript - 03/03/2020 - Defendant Competent Submission (Kimberly McCright)
36. 24-Nov-2021 FILED: Reporter's Transcript - 06/10/2020 (Michael Babicky)
37. 29-Nov-2021 FILED: Certified Copy of Waiver of Right to Counsel (Appellant)

Court of Appeals, Division One

Criminal

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39 PROCEEDING ENTRIES

38. 1-Dec-2021 FILED: Reporters Transcript - 09/30/2019 - Complex Case Management Conference (Crystal Hereford)
39. 3-Dec-2021 ORDERED: Lifting the stay and reinstating this appeal. FURTHER ORDERED: Granting appellant's motion for self-representation on appeal. FURTHER ORDERED: That the Maricopa County Public Defender remain as advisory counsel for appellant in this matter. FURTHER ORDERED: That upon completion of the record, advisory counsel must transmit to appellant a paper copy of the record on appeal, including transcripts, and file a copy of the transmittal letter with this court within 5 days. FURTHER ORDERED: Extending the extending the time to file the opening brief from 01/10/2022 to 01/18/2022.