

State of New Mexico

v.

Arthur Anaya

CASE DETAIL

| CASE # | CURRENT JUDGE | FILING DATE | COURT |
|--------------------|---------------------|-------------|-------------------|
| D-101-CR-201200119 | Ellington, T. Glenn | 03/06/2012 | SANTA FE District |

PARTIES TO THIS CASE

| PARTY TYPE | PARTY DESCRIPTION | PARTY # | PARTY NAME |
|------------|-----------------------------------|---------|---------------------|
| D | Defendant | 1 | ANAYA ARTHUR |
| | ATTORNEY: CAMPBELL JOSEPH M. | | |
| | ATTORNEY: TUCKER BRIAN | | |
| P | Plaintiff | 1 | STATE OF NEW MEXICO |
| | ATTORNEY: WILLIAMS TIMOTHY JOSEPH | | |

CRIMINAL CHARGE DETAIL

| PARTY | COUNT | SEQ # | STATUTE | CHARGE | CLASS | CHARGE DATE | CIT # | PLEA | DISPOSITION | DISP DATE |
|-------|-------|-------|----------------|--|-------|-------------|-------|------|--|------------|
| D 1 | 1 | 2 | 30-02-01(A)(1) | First Degree Murder (Willful F & Deliberate) | F | 01/23/2012 | | | Conviction | 05/24/2013 |
| D 1 | 2 | 2 | 30-02-01(A)(1) | First Degree Murder (Willful F & Deliberate) | F | 01/23/2012 | | | Conviction | 05/24/2013 |
| D 1 | 3 | 2 | 30-16-04(A) | Aggravated Burglary (Deadly F2 Weapon) | F2 | 01/23/2012 | | | Conviction | 05/24/2013 |
| D 1 | 4 | 2 | 30-07-16 | Possession of a Firearm or Destructive Device by a Felon | F4 | 01/23/2012 | | | Conviction | 05/24/2013 |
| D 1 | 5 | 2 | 30-24-03(A)(2) | Bribery of a Witness (Threats F3 - False Testimony) | F3 | 01/23/2012 | | | Conviction | 05/24/2013 |
| D 1 | 6 | 2 | 30-24-03(A)(2) | Bribery of a Witness (Threats F3 - False Testimony) | F3 | 01/23/2012 | | | Acquitted | 06/17/2013 |
| D 1 | 7 | 2 | 30-22-05 | Tampering with Evidence (Highest Crime a Capital, First or Second Degree Felony) | F3 | 01/27/2012 | | | Dismissed by Prosecutor / Nolle Prosequi | 06/17/2013 |
| D 1 | 8 | 2 | 30-22-22(A)(3) | Aggravated Assault upon a Peace Officer (With Intent to Commit a Felony) | F3 | 01/27/2012 | | | Dismissed by Prosecutor / Nolle Prosequi | 06/17/2013 |

HEARINGS FOR THIS CASE

| HEARING DATE | HEARING TIME | HEARING TYPE | HEARING JUDGE | COURT | COURT ROOM |
|--------------|--------------|------------------------|---------------------|----------|--------------------------------------|
| 06/24/2013 | 8:15 AM | PRESENTMENT HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/29/2013 | 3:00 PM | SENTENCING HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/24/2013 | 8:30 AM | JURY TRIAL | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/23/2013 | 8:30 AM | JURY TRIAL | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/22/2013 | 8:30 AM | JURY TRIAL | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/21/2013 | 8:30 AM | JURY TRIAL | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/17/2013 | 8:30 AM | JURY SELECTION HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/14/2013 | 11:00 AM | MOTION HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 04/29/2013 | 2:30 PM | STATUS HEARING/ | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |

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|------------|---------|-------------------------------|---------------------|----------|--------------------------------------|
| | | CONFERENCE | | | Complex |
| 04/25/2013 | 9:00 AM | MOTION HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 04/23/2013 | 8:30 AM | STATUS HEARING/ CONFERENCE | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 04/15/2013 | 4:00 PM | STATUS HEARING/ CONFERENCE | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 03/25/2013 | 8:15 AM | DOCKET CALL | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 03/04/2013 | 2:00 PM | PRE-TRIAL CONFERENCE | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 12/17/2012 | 8:15 AM | STATUS HEARING/ CONFERENCE | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 10/01/2012 | 8:15 AM | DOCKET CALL | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 09/20/2012 | 2:30 PM | MOTION HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 08/27/2012 | 2:00 PM | PRE-TRIAL CONFERENCE | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 07/18/2012 | 9:00 AM | STATUS HEARING/ CONFERENCE | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 06/21/2012 | 4:00 PM | ARRAIGNMENT | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 06/14/2012 | 4:00 PM | ARRAIGNMENT | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 06/12/2012 | 9:00 AM | PRELIMINARY HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/29/2012 | 8:30 AM | PRELIMINARY HEARING | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 05/15/2012 | 9:00 AM | ARRAIGNMENT | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 04/30/2012 | 8:15 AM | STATUS HEARING/ CONFERENCE | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |
| 03/09/2012 | 3:30 PM | ARRAIGNMENT | Pfeffer, Stephen D. | SANTA FE | Judge Steve Herrera Judicial Complex |

REGISTER OF ACTIONS ACTIVITY

| EVENT DATE | EVENT DESCRIPTION | EVENT RESULT | PARTY TYPE | PARTY # | AMOUNT |
|------------|---|--------------|------------|---------|--------|
| 09/18/2015 | CLS: ORDER OF DISMISSAL Procedural Order on Petition for Writ of Habeas Corpus | | | | |
| 08/11/2015 | EXHIBIT RECEIPT Receipt for Exhibits From Supreme Court 2 envelopes (Returned to boxes 271 & 278) | | | | |
| 07/09/2015 | NTC: NOTICE NOTICE OF 5-802(G)(1) INITIAL REVIEW | | | | |
| 06/26/2015 | MANDATE/AFFIRMED Supreme Court Mandate 34,279 - A decision was issued affirming defendant's convictions | | | | |
| 06/22/2015 | AFFIDAVIT OF SERVICE Petition mailed to District Attorney & Post Conviction Habeas Corpus Division Office of the Public Defender | | | | |
| 06/10/2015 | CERTIFICATE/ PROOF OF MAILING Petition mailed to District Attorney, Attorney General and Post Conviction Habeas Corpus Unit Public Defender Office pursuant to 5-802(F) | | | | |
| 06/05/2015 | RPN: HABEAS CORPUS PETITION Petition for Writ of Habeas Corpus | D | | 1 | |
| 01/26/2015 | MTN: MOTION for New Trial | D | | 1 | |
| 08/26/2014 | EXHIBIT RECEIPT SUPPLEMENTAL EXHIBIT RECEIPT | | | | |
| 07/11/2014 | EXHIBIT RECEIPT Exhibit Receipt | | | | |

1 manilla envelope consisting of State's Exhibits 1-5,9-10,12,14-15,17,21-25,27-29,40,42-43,47-48,51-52,54-55,57,59-62,64-65,68-71,74,82-83,85,88,94,100-101,105,109 & Defendant's Exhibits A & B

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| 07/07/2014 | ORD: ORDER Order Re: directing First District Court to file any exhibits containing stipulated witness testimony and any photographic exhibits admitted into evidence and considered by the jury during Defendant's jury trial. | | |
| 02/10/2014 | EXHIBIT RECEIPT Receipt for Exhibits Admitted at Jury Trial 5/21,22,23/2013 State's Exhibits: 1-111 Defendant's Exhibits: A&B Box 278 | | |
| 01/31/2014 | MISCELLANEOUS ENTRY Receipt of Transcripts | | |
| 01/10/2014 | TRANSCRIPT OF PROCEEDINGS Certified Receipt and Notice of Filing for Designated Transcript of Proceedings | | |
| 11/14/2013 | MTN: MOTION Motion (Pro Se) to D.A. (...to sent trial transcripts to the Appellate Attorney assign to my case for Supreme Court review) | D | 1 |
| 10/04/2013 | MTN: MOTION Motion for Extension of Time in Which to File Designated Transcripts of Proceedings Filed by Loretta Branch | | |
| 09/26/2013 | EXHIBIT RECEIPT Receipt for Exhibit Box 278 | | |
| 09/20/2013 | AFFIDAVIT of Loretta L. Branch | | |
| 09/16/2013 | RECEIPT OF CD FTR CD Receipt Re: Supreme Court | | |
| 09/13/2013 | CERTIFICATE Clerk's Certificate for audio on general calendar assignment | | |
| 09/13/2013 | CERTIFICATE Certificate of Cost for audio on general calendar assignment \$63.30 Free Process | | |
| 09/09/2013 | MISCELLANEOUS ENTRY Defendant's Designation of Proceedings to be Included in the Transcript on Appeal | | |
| 08/28/2013 | APPEAL GENERAL CALENDAR Calendar Notice SC 34,279 | | |
| 08/26/2013 | CERTIFICATE Certificate of Cost | | |
| 08/26/2013 | CERTIFICATE Clerk's Certificate | | |
| 08/26/2013 | MISCELLANEOUS ENTRY Receipt of Record Proper | | |
| 08/13/2013 | STATEMENT OF ISSUES /SUPREME COURT Statement of Issues on Appeal | | |
| 07/15/2013 | NTC: OF APPEAL TO COURT OF APPEALS/ SUPREME COURT Notice of Appeal to New Mexico Supreme Court | | |
| 07/11/2013 | ORD: ORDER Order Of Appointment Of Appellate Counsel | | |
| 07/02/2013 | RPN: REOPEN/MISCELLANEOUS/ OTHER Motion to Correct False Statements & Sentencing | D | 1 |
| 06/17/2013 | NCJ: JUDGMENT | | |

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| 06/17/2013 | Judgment, Sentence, Commitment and Transport Order (no mention of Charges 7 & 8 in the Judgment) ORD: RELEASE OF PROPERTY | | |
| 06/10/2013 | Stipulated Order Releasing Property REQUEST Pro-Se Request (Motion for Transcripts of In Camera Hearing) and Transcript of Sentencing | | |
| 05/24/2013 | VERDICT GUILTY Guilty of Counts I, II, III, IV, V, and not guilty of Count VI | | |
| 05/24/2013 | JURY INSTRUCTIONS | | |
| 05/24/2013 | NTC: OF HEARING May 29, 2013 at 3:00 pm Sentencing | | |
| 05/24/2013 | MISCELLANEOUS ENTRY Jury Questions | | |
| 05/22/2013 | RANDOM JURY SELECTION | | |
| 05/15/2013 | WITNESS LIST Supplemental State's Witnesses | | |
| 05/10/2013 | ORD: TO TRANSPORT | D | 1 |
| 05/08/2013 | AMENDED NOTICE Amended Notice of Hearing May 14, 2013 at 11:00 am Motion to Dismiss | | |
| 05/02/2013 | NTC: OF HEARING Jury Selection and Trial 5/17,21,22,23(morning) and 24/13 8:30 am | | |
| 04/30/2013 | ORD: ORDER Order to File Copy Under Seal | | |
| 04/30/2013 | NTC: OF HEARING Motion to Dismiss 5/14/13 at 9:00 am | | |
| 04/29/2013 | RESPONSE State's Response in Opposition to Defendant's Motion to Dismiss the Two Counts of Felony Murder Predicated on a Charge of Felon in Possession of a Firearm | | |
| 04/25/2013 | RESPONSE State's Response in Opposition to Defendant's Motion to Dismiss Count III and Alternative Theory of Murder | P | 1 |
| 04/09/2013 | MTN: TO DISMISS Motion to Dismiss Count III of Criminal Information & Alternative Theory of Murder | D | 1 |
| 04/09/2013 | MTN: TO DISMISS Motion to Dismiss Alternative Theory of Murder | | |
| 04/05/2013 | NTC: OF HEARING April 29, 2013 @2:30 pm Matter: Status | | |
| 04/03/2013 | MTN: MOTION Motion on Ineffective Assistance of Counsel | | |
| 04/03/2013 | NTC: OF HEARING Status of Counsel 4/15/13 at 4:00 pm | | |
| 02/13/2013 | NTC: OF HEARING May 17, 21, 22, 23 (Morning) and 24, 2013 at 8:30am Jury Trial | | |
| 01/28/2013 | SEALED DOCUMENT | | |
| 12/19/2012 | SCHEDULING ORDER Amended Trial Scheduling Order Pre-Trial March 4, 2013 at 2:00pm Docket Call March 25, 2013 at 8:15am Trial April 30, 2013 at 8:30am | | |
| 12/14/2012 | MTN: MOTION Requesting a bond hearing | | |
| 12/11/2012 | NTC: OF HEARING Status Hearing | | |
| 10/10/2012 | MTN: MOTION Writ of Error Pro Se Motion | D | 1 |
| 10/04/2012 | SEALED DOCUMENT | | |
| 09/12/2012 | NTC: OF HEARING Date: Sept 20, 2012 at 2:30 pm regarding Competency Hearing | | |
| 09/11/2012 | MTN: MOTION Defense's Motion To Determine Defendant's Competency | | |

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| 09/11/2012 | REQUEST FOR HEARING/ SETTING | | |
| | Matter: Competency Hearing | | |
| 08/27/2012 | ORD: ORDER DENYING | D | 1 |
| | Order Denying Defendant's Motion to Re-Instate Peremptory Excusal | | |
| 08/16/2012 | REQUEST FOR HEARING/ SETTING | | |
| | Motion Hearing | | |
| 07/27/2012 | MTN: TO REINSTATE | D | 1 |
| | Defendant's Motion to Re-Instate Peremptory Excusal | | |
| 07/13/2012 | NTC: OF HEARING July 18, 2012 9:00 am | | |
| | Matter: Status Hearing | | |
| 07/12/2012 | REQUEST FOR HEARING/ SETTING | D | 1 |
| | re: Status Hearing | | |
| 07/11/2012 | ORD: ORDER Order Striking Peremptory Election to Excuse Dated June 28, 2012 | | |
| 06/29/2012 | NTC: OF HEARING Status Conference | | |
| 06/28/2012 | NTC: JUDGE ASSIGNMENT This case has been reassigned to Judge Michael E. Vigil, Div IV, due to the excusal of Judge Stephen D. Pfeffer, Div VI; effective June 28, 2012 | | |
| 06/28/2012 | JDG: JUDGE | D | 1 |
| | EXCUSAL/PEREMPTORY CHALLENGE | | |
| | Excuses Judge Pfeffer | | |
| 06/25/2012 | EXHIBIT RECEIPT | | |
| 06/22/2012 | SCHEDULING ORDER Discovery Order & Trial Scheduling Order | | |
| | PTC: August 27, 2012 at 2:00 pm | | |
| | DC: October 1, 2012 at 8:15 am | | |
| | Trial: October 30, 2012 at 8:30 am | | |
| 06/22/2012 | MEMORANDUM OF ARRAIGNMENT | | |
| | Pled not guilty | | |
| | Bond: No Bond | | |
| 06/21/2012 | ORD: ORDER Bind Over Order | | |
| 06/21/2012 | AMENDED CRIMINAL INFORMATION/AMENDED GRAND JURY INFORMATION | | |
| | Second Amended Criminal Information | | |
| 06/19/2012 | MEMORANDUM Hearings on 05/29/2016 and 06/12/2012 were taken stenographically | | |
| 06/18/2012 | REQUEST FOR COPY OF TAPES/CD | | |
| | Audio Recording Request | | |
| 06/18/2012 | REQUEST FOR COPY OF TAPES/CD | | |
| | Audio Recording Request | | |
| 06/15/2012 | NTC: OF HEARING June 21, 2012 at 4:00 pm | | |
| | Arraignment | | |
| 05/30/2012 | NTC: OF HEARING Completion of Preliminary Hearing | | |
| | 6/12/12 at 9:00 am | | |
| 05/17/2012 | NTC: OF HEARING Amended Ntc. of Hearing | | |
| 05/16/2012 | SEALED DOCUMENT | | |
| 05/16/2012 | NTC: OF HEARING Amended Notice of Hearing: Re: Preliminary Hearing on Tuesday, May 29,2012 at 9:30 a.m. | | |
| 05/15/2012 | NTC: OF HEARING | | |

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| | May 23, 2012 8:15 am - 2:45 pm | | |
| 05/15/2012 | Preliminary Hearing CERTIFICATE OF COMPLIANCE | P | 1 |
| | Supplemental | | |
| 05/04/2012 | NTC: OF HEARING | | |
| 05/02/2012 | REQUEST FOR HEARING/ SETTING | | |
| | Request for Hearing | | |
| | Competency Hearing (Special Setting) | | |
| 05/01/2012 | NTC: OF HEARING | | |
| | On May 15, 2012 at 9 am | | |
| | Arraignment | | |
| 05/01/2012 | CERTIFICATE OF COMPLIANCE | | |
| | Supplemental | | |
| 04/18/2012 | REQUEST | | |
| | for Competent Counsel | | |
| 04/16/2012 | MTN: MOTION | D | 1 |
| | Motion filed requesting a Status hearing on issues; Motion filed by Anaya, Pro Se | | |
| 03/28/2012 | WITNESS LIST | P | 1 |
| 03/14/2012 | ENTRY OF APPEARANCE | | |
| | Demand for Speedy Trial, Motion for Discovery, Demand for Exculpatory Information, and Certificate of Compliance, Motion to Waive Deadline for Pleading Insanity | | |
| | Defence and Witness List | | |
| 03/13/2012 | REQUEST | | |
| | for Discovery w/Motion for Speedy Trial | | |
| 03/12/2012 | SEALED DOCUMENT | | |
| 03/12/2012 | MEMORANDUM OF ARRAIGNMENT | | |
| | (March 9, 2012) | | |
| | Pled not guilty | | |
| 03/12/2012 | SCHEDULING ORDER | | |
| | Discovery Order & Trial Scheduling Order - PTC: May 7, 2012 at 2:00 pm, DC: June 11, 2012 at 8:15 am, and Trial: July 10, 2012 at 8:30 am | | |
| 03/12/2012 | NTC: OF HEARING | | |
| | April 30, 2012 at 8:15 am | | |
| | Status of Forensic Evaluation | | |
| 03/09/2012 | ENTRY OF APPEARANCE | | |
| 03/07/2012 | AMENDED CRIMINAL INFORMATION/AMENDED | | |
| | GRAND JURY | | |
| | INFORMATION | | |
| 03/06/2012 | OPN: CRIMINAL INFORMATION / COMPLAINT | | |

JUDGE ASSIGNMENT HISTORY

| ASSIGNMENT DATE | JUDGE NAME | SEQ # | ASSIGNMENT EVENT DESCRIPTION |
|-----------------|---------------------|-------|------------------------------|
| 03/06/2012 | Pfeffer, Stephen D. | 1 | INITIAL ASSIGNMENT |
| 06/28/2012 | Vigil, Michael E. | 2 | Judge Peremptory Excusal |
| 07/11/2012 | Pfeffer, Stephen D. | 3 | Judge Assignment Ordered |
| 07/02/2013 | Ellington, T. Glenn | 4 | Administrative Assignment |