

## Appendix

A. Ninth Circuit Court of Appeals order Denying Rehearing

Ninth Circuit Court of Appeals Memorandum Decision

B. District Courts Order

C. District Courts Ruling in My Federal Habeas page 16

referred to on page

D. Case History of my attempts to obtain Disclosure in

State Court proceeding 4 pages

referred to on page

Appendix A

Ninth Circuit Court of Appeals order denying rehearing 1 page

Ninth Circuit Court of Appeal Memorandum Decision 2 pages

UNITED STATES COURT OF APPEALS

**FILED**

FOR THE NINTH CIRCUIT

FEB 19 2026

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

DAVID LOPEZ GONZALES,

Plaintiff - Appellant,

v.

KRIS MAYES, named Kristin K Mayes,  
Arizona Attorney General; et al.,

Defendants - Appellees.

No. 24-2281

D.C. No. 2:24-cv-00002-ROS--  
DMF

District of Arizona,  
Phoenix

ORDER

Before: SCHROEDER, RAWLINSON, and NGUYEN, Circuit Judges.

The petition (Docket Entry No. 48) for panel rehearing is denied.

No further filings will be entertained in this closed case.

**FILED**

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

NOV 17 2025

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

DAVID LOPEZ GONZALES,

Plaintiff - Appellant,

v.

KRIS MAYES, named Kristin K. Mayes,  
Arizona Attorney General; RACHEL  
MITCHELL, Maricopa County Attorney;  
AMANDA M. PARKER, Deputy County  
Attorney; ERIC KNOBLOCH, Assistant  
Attorney General,

Defendants - Appellees.

No. 24-2281

D.C. No. 2:24-cv-00002-ROS--  
DMF

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Roslyn O. Silver, District Judge, Presiding

Submitted November 12, 2025\*\*

Before: SCHROEDER, RAWLINSON, and NGUYEN, Circuit Judges.

Arizona state prisoner David Lopez Gonzales appeals pro se from the district

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

court's judgment dismissing his 42 U.S.C. § 1983 action alleging constitutional claims in connection with his state court criminal case. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal under 28 U.S.C. § 1915A.

*Wilhelm v. Rotman*, 680 F.3d 1113, 1118 (9th Cir. 2012). We affirm.

The district court properly dismissed Gonzales's action as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) because success on Gonzales's claims would necessarily imply the invalidity of his conviction, and Gonzales has not demonstrated that his conviction has been invalidated. *See Heck*, 512 U.S. at 486-87 (holding that if "a judgment in favor of the plaintiff would necessarily imply the invalidity of his conviction or sentence . . . the complaint must be dismissed unless the plaintiff can demonstrate that the conviction or sentence has already been invalidated"); *see also Skinner v. Switzer*, 562 U.S. 521, 536 (2011) (claims relying on an alleged *Brady v. Maryland*, 373 U.S. 83 (1963), violation are "outside the province of § 1983" under *Heck*); *Wilkinson v. Dotson*, 544 U.S. 74, 81-82 (2005) (holding that *Heck* applies regardless of the type of relief sought).

We do not consider matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

Gonzales's motion (Docket Entry No. 14) for amicus briefing is denied.

**AFFIRMED.**

Appendix B  
District Court order Denying my petition pages 7

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

David Lopez Gonzales,  
Plaintiff,  
v.  
Kris Mayes, et al.,  
Defendants.

No. CV-24-00002-PHX-ROS (DMF)

**ORDER**

On January 2, 2024, Plaintiff David Lopez Gonzales, who is confined in the Arizona State Prison Complex-Eyman, filed a pro se civil rights Complaint pursuant to 42 U.S.C. § 1983 (Doc. 1). On January 5, 2024, Plaintiff filed a “Motion to Not Reject Civil Rights Complaint,” and on January 18, 2024, he paid the filing and administrative fees. In a March 20, 2024 Order, the Court denied as moot Plaintiff’s Motion and gave him an opportunity to show cause, in writing, why this case should not be dismissed as barred by the statute of limitations.

On April 1, 2024, Plaintiff filed a Response (Doc. 15) to the Order to Show Cause. The Court will dismiss the Complaint and this action.

**I. Statutory Screening of Prisoner Complaints**

The Court is required to screen complaints brought by prisoners seeking relief against a governmental entity or an officer or an employee of a governmental entity. 28 U.S.C. § 1915A(a). The Court must dismiss a complaint or portion thereof if a plaintiff has raised claims that are legally frivolous or malicious, that fail to state a claim upon which

1 relief may be granted, or that seek monetary relief from a defendant who is immune from  
2 such relief. 28 U.S.C. § 1915A(b)(1)–(2).

3 A pleading must contain a “short and plain statement of the claim *showing* that the  
4 pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2) (emphasis added). While Rule 8 does  
5 not demand detailed factual allegations, “it demands more than an unadorned, the-  
6 defendant-unlawfully-harmed-me accusation.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678  
7 (2009). “Threadbare recitals of the elements of a cause of action, supported by mere  
8 conclusory statements, do not suffice.” *Id.*

9 “[A] complaint must contain sufficient factual matter, accepted as true, to ‘state a  
10 claim to relief that is plausible on its face.’” *Id.* (quoting *Bell Atlantic Corp. v. Twombly*,  
11 550 U.S. 544, 570 (2007)). A claim is plausible “when the plaintiff pleads factual content  
12 that allows the court to draw the reasonable inference that the defendant is liable for the  
13 misconduct alleged.” *Id.* “Determining whether a complaint states a plausible claim for  
14 relief [is] . . . a context-specific task that requires the reviewing court to draw on its judicial  
15 experience and common sense.” *Id.* at 679. Thus, although a plaintiff’s specific factual  
16 allegations may be consistent with a constitutional claim, a court must assess whether there  
17 are other “more likely explanations” for a defendant’s conduct. *Id.* at 681.

18 But as the United States Court of Appeals for the Ninth Circuit has instructed, courts  
19 must “continue to construe *pro se* filings liberally.” *Hebbe v. Pliler*, 627 F.3d 338, 342  
20 (9th Cir. 2010). A “complaint [filed by a *pro se* prisoner] ‘must be held to less stringent  
21 standards than formal pleadings drafted by lawyers.’” *Id.* (quoting *Erickson v. Pardus*, 551  
22 U.S. 89, 94 (2007) (per curiam)).

23 If the Court determines that a pleading could be cured by the allegation of other  
24 facts, a *pro se* litigant is entitled to an opportunity to amend a complaint before dismissal  
25 of the action. *See Lopez v. Smith*, 203 F.3d 1122, 1127-29 (9th Cir. 2000) (en banc).  
26 Plaintiff’s Complaint will be dismissed for failure to state a claim, without leave to amend  
27 because the defects cannot be corrected.

28 . . . .

1     **II. Background**

2             Plaintiff was convicted in Maricopa County Superior Court, case #CR2012-124110,  
3 of multiple counts of sexual abuse, sexual conduct with a minor, and molestation of a child  
4 and was sentenced to a 92-year term of imprisonment. *Gonzales v. Shinn*, CV-18-01907-  
5 PHX-ROS (D. Ariz. 2018). Plaintiff appealed, and on June 16, 2015, the Arizona Court of  
6 Appeals affirmed Plaintiff's convictions and sentences except for one count of sexual  
7 conduct with a minor. (Doc. 59 in CV-18-01907.) Plaintiff filed a petition for review,  
8 which the Arizona Supreme Court denied. (*Id.*)

9             Plaintiff subsequently sought post-conviction relief in the trial court. (*Id.*) The trial  
10 court denied each of Plaintiff's petitions for post-conviction relief, and the Arizona Court  
11 of Appeals granted review of Plaintiff's petitions for review but denied relief. (*Id.*)

12             In June 2018, Plaintiff filed a Petition for a Writ of Habeas Corpus pursuant to 28  
13 U.S.C. § 2254 in this Court. (Doc. 1 in CV-18-01907.) He filed his Third Amended  
14 Petition on June 17, 2019. (Doc. 33 in CV-18-01907.) As relevant here, Plaintiff asserted  
15 that the prosecution in his criminal case violated its duty to disclose exculpatory and  
16 impeachment evidence. (Doc. 59 in CV-18-01907.)

17             In a March 11, 2020 Report and Recommendation, the Magistrate Judge  
18 recommended that the Court deny and dismiss the Third Amended Petition with prejudice  
19 and deny a certificate of appealability. (*Id.*) In an October 15, 2020 Order, the Court  
20 adopted the Report and Recommendation and denied and dismissed the Third Amended  
21 Petition. (Doc. 72 in CV-18-01907.) The Ninth Circuit denied Plaintiff's request for a  
22 certificate of appealability. (Doc. 85 in CV-18-01907.)

23     **III. Complaint**

24             In his three-count Complaint, Plaintiff names Arizona Attorney General Kris  
25 Mayes, Assistant Attorney General Eric Knobloch, Maricopa County Attorney Rachel  
26 Mitchell, and Deputy County Attorney Amanda M. Parker. Plaintiff asserts claims  
27 regarding his criminal proceeding in Maricopa County Superior Court. He asks the Court  
28 to order Defendants to "fulfill their constitutional duty as administrators of justice to

1 disclose” the exculpatory and impeachment evidence that Plaintiff has requested,  
2 including, but not limited to, Section 8 records, CPS records, school records, and criminal  
3 records.

4 In Count One, Plaintiff alleges that Defendants Parker and Knobloch violated  
5 Plaintiff’s constitutional right to meaningful access to the courts by failing to meet their  
6 affirmative duty to disclose exculpatory and impeachment evidence. Plaintiff asserts that  
7 during his appeal, he asked “them” to disclose exculpatory and impeachment evidence, but  
8 instead of disclosing the evidence, they “actively concealed the evidence that would prove  
9 [his] innocence.” Plaintiff claims the State’s witnesses committed perjury, a member of  
10 the Maricopa County Attorney’s Office committed misconduct, his conviction was  
11 obtained in violation of the Constitution, his trial was fundamentally unfair, and the post-  
12 conviction court did not compel the State to disclose exculpatory evidence.

13 In Count Two, Plaintiff alleges that during his appeal, Defendant Parker did not  
14 meet her affirmative duty to disclose exculpatory and impeachment evidence. Plaintiff  
15 asserts that during his trial, “that evidence was in the direct possession and control of the  
16 Maricopa County Attorney’s Office.” Plaintiff claims that although he sent Defendant  
17 Parker “a number of request[s]” to disclose exculpatory and impeachment evidence, she  
18 refused to do so. Plaintiff also alleges that during his habeas corpus proceeding in this  
19 Court, Defendant Knobloch refused to disclose exculpatory and impeachment evidence.

20 In Count Three, Plaintiff alleges that if he “had been rich, [he] could have afforded  
21 to hire a lawyer to represent [him]” during his appeal, the lawyer would have protected  
22 [Plaintiff’s] constitutional right to disclosure of exculpatory and impeachment evidence,  
23 and the State “would have disclosed the evidence [that he is] requesting.” Plaintiff asserts  
24 that because he was too poor to hire an attorney to protect his rights, Defendants refused to  
25 disclose the exculpatory and impeachment evidence.

26 **IV. Order to Show Cause and Response**

27 In the March 20, 2024 Order, the Court noted that Plaintiff’s claims accrued nearly  
28 five years before he filed the Complaint in this case, and that even if the Court deemed the

1 date of accrual as October 15, 2020, the date the Court dismissed his § 2254 proceeding,  
2 Plaintiff's claims were still untimely. In an abundance of caution and in the interests of  
3 justice, the Court permitted Plaintiff an opportunity to show cause why this case should not  
4 be barred by the statute of limitations.

5 In his Response to the Order to Show Cause, Plaintiff asserts during his trial, he  
6 presented an alibi defense, and to overcome the alibi, the prosecutor presented false  
7 testimony and failed to disclose evidence that proved the testimony was false. Plaintiff  
8 contends that during his post-conviction proceedings, he "tried to obtain the evidence," but  
9 the prosecutor failed to disclose it. Plaintiff argues that he could not present "the basis for  
10 [his] claim" until he "had the factual basis" to prove by a preponderance of the evidence  
11 "what the undisclosed evidence produced." Plaintiff asserts that although he "knew the  
12 basis for [his] claim" after his trial and during state and federal appeal process, he did not  
13 know the factual basis for his § 1983 complaint until August 2022.

14 Plaintiff states that in August 2022, he obtained a fire department incident report  
15 that was "the last piece of evidence [he] needed to form the factual basis" for his § 1983  
16 claims. Plaintiff argues that without "this final piece of the puzzle," he would "just be  
17 speculating what the undisclosed evidence produced," and mere speculation is not enough  
18 to establish a § 1983 claim. Plaintiff further asserts that he could not present his claim  
19 because he had not exhausted "this issue" through the appeal process to give state officials,  
20 acting in their official capacity, a fair opportunity to disclose the exculpatory and  
21 impeachment evidence he requested.

## 22 V. Discussion

23 Under *Heck v. Humphrey*, 512 U.S. 477 (1994), a civil rights claim brought pursuant  
24 to § 1983 that, if successful, would necessarily undermine the validity of a conviction or  
25 sentence may not be brought before the prisoner has obtained a "favorable termination" of  
26 the underlying conviction or sentence. *Id.* at 486-87; *Preiser v. Rodriguez*, 411 U.S. 475,  
27 500 (1973). A favorable termination means the prisoner must demonstrate that the  
28 conviction or sentence has previously been reversed, expunged, or otherwise invalidated.

1 *Heck*, 512 U.S. at 486-87. A civil rights claim under § 1983 does not accrue unless or until  
2 the prisoner has obtained a “favorable termination” of the underlying conviction. *Id.* at  
3 489. The *Heck* bar has been applied to § 1983 actions for declaratory or injunctive relief.  
4 See *Wilkinson v. Dotson*, 544 U.S. 74, 81-82 (2005) (noting that *Heck* applies to § 1983  
5 requests for injunctive and declaratory relief *if success in the action would necessarily*  
6 *demonstrate the invalidity of confinement or its duration*); *Osborne v. District Attorney’s*  
7 *Office for 3d Jud. Dist.*, 423 F.3d 1050, 1053 (9th Cir. 2005).

8 Plaintiff’s claim that the State failed to produce exculpatory and impeachment  
9 evidence, if successful, would necessarily undermine the validity of Plaintiff’s convictions  
10 or sentence. Plaintiff’s § 1983 claims will not accrue until he obtains a favorable  
11 termination of his convictions. Plaintiff attempted, but failed, in his post-conviction and  
12 habeas corpus proceedings, to obtain a favorable termination of his convictions (what  
13 Plaintiff refers to as “exhausting” his § 1983 claims). Accordingly, Plaintiff’s § 1983  
14 claims have not yet accrued for statute of limitations purposes, and they are not, therefore,  
15 barred under the statute of limitations. But because Plaintiff has not shown his convictions  
16 have been reversed, expunged, or otherwise invalidated, his claims are barred under *Heck*  
17 as not yet having accrued and must be dismissed.

18 For the foregoing reasons, the Court will dismiss the Complaint and this case,  
19 without prejudice to Plaintiff refile his claims if he obtains a favorable termination of his  
20 convictions and sentence.

21 **IT IS ORDERED:**

22 (1) The Complaint (Doc. 1) is dismissed without prejudice, and the Clerk of  
23 Court must enter judgment accordingly.

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1 (2) The docket shall reflect that the Court, pursuant to 28 U.S.C. § 1915(a)(3)  
2 and Federal Rules of Appellate Procedure 24(a)(3)(A), has considered whether an appeal  
3 of this decision would be taken in good faith and finds Plaintiff may appeal in forma  
4 pauperis.

5 Dated this 4th day of April, 2024.

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9 Honorable Roslyn O. Silver  
10 Senior United States District Judge  
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Appendix C

District Courts Ruling in My Federal Habeas page 16  
referred to on page.

1           **IV. Other Pending Motions**

2           Gonzales has also filed a motion for leave to reply in support of his objections to the  
3 R&R (Doc. 62); a motion requesting discovery to obtain exculpatory material (Doc. 64);  
4 and a motion to place the state in default on his request for admissions (Doc. 69). Neither  
5 this Court nor the Federal Rules of Civil Procedure permit replies in support of objections  
6 to reports and recommendations, and Gonzales' motion for leave to reply will be denied.  
7 Nor is there a right to discovery in habeas cases. Fed. R. Civ. P. 26(a)(1)(B); *Bittaker v.*  
8 *Woodford*, 331 F. 3d 715, 728 (9th Cir. 2003). The Court declines to grant leave for  
9 discovery. Finally, the discovery motions are futile because *Cullen v. Pinholster* bars  
10 consideration of new evidence. 563 U.S. 170, 181 (2011) (“[E]vidence introduced in  
11 federal court has no bearing on § 2254(d)(1) review. If a claim has been adjudicated on the  
12 merits by a state court, a federal habeas petitioner must overcome the limitation of §  
13 2254(d)(1) on the record that was before that state court.”); see *Runnigeagle*, 686 F.3d at  
14 773–74; *Kemp v. Ryan*, 638 F.3d 1245, 1260 (9th Cir. 2011). Gonzales' discovery motions  
15 will be denied.

16           Accordingly,

17           **IT IS ORDERED** the Report and Recommendation (Doc. 59) is **ADOPTED**.

18           **IT IS FURTHER ORDERED** the Third Amended Petition for Writ of Habeas  
19 Corpus (Doc. 33) is **DENIED** and **DISMISSED WITH PREJUDICE**.

20           **IT IS FURTHER ORDERED** Gonzales' motions for leave to file a reply (Doc.  
21 62) and for discovery (Docs. 64, 69) are **DENIED**.

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Appendix D

Case History of my attempts to obtain Disclosure in  
State Court proceeding 4 pages

**Court of Appeals, Division One  
Criminal Petition Review Post Conviction Relief**

**1 CA-CR 16-0844 PRPC**

**STATE v. GONZALES**

<p><b>Appellate Case Information</b></p> <p>Case Filed: 7-Dec-2016</p> <p>Case Closed:</p>	<p><b>Dept/Composition</b></p> <p><b>Department B</b></p> <p>Hon. Lawrence F Winthrop Hon. Diane M Johnsen Hon. Maria Elena Cruz</p>
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**Side 1. STATE OF ARIZONA, Respondent**  
(Litigant Group) **STATE OF ARIZONA**

o State of Arizona Attorneys for: Respondent  
Amanda M Parker, Esq. (AZ Bar No. 29806)

**Side 2. DAVID LOPEZ GONZALES, Petitioner**  
(Litigant Group) **DAVID LOPEZ GONZALES**

o David Lopez Gonzales PRO SE

**CASE STATUS**

Dec 27, 2017....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CR 2012-124110-001		Karen L O'Connor, Judge on PC		

**DESCENDENT CASE(S)**

ASC	CR-17-0617-PR
ASC	M-17-0005
ASC	M-18-0002

**CASE DECISION**

**12-Dec-2017 MEMORANDUM DECISION**

**Percurium**

Lawrence Winthrop.....Concur

Diane Johnsen.....Concur

Maria Cruz.....Concur

Filed: 12-Dec-2017	Mandate:
Decision Disposition	
<b>Review Granted</b>	
<b>Relief Denied</b>	

**38:PROCEEDING ENTRIES**

- 7-Dec-2016 FILED: Petition for Review (Petitioner Pro Per)
- 8-Dec-2016 FILED: Motion for This Court to Accept the Missing Pages and Attachements to my Petition for Review. Motion for the Clerk of this Court to put my Request for Admissions in Default and for this Court for a Default Judgement on my Admissions or Compel the State to Disclose (Petitioner Pro Per)
- 8-Dec-2016 FILED: Request for the Clerk of this Court to Enter that the State is in Default of my Request for Admission (Petitioner Pro Per)
- 8-Dec-2016 FILED: Request for Admissions from the State (True Admissions)(Petitioner Pro Per)
- 8-Dec-2016 FILED: Motion for a Default Judgement on my Request for Admissions (Petitioner Pro Per)
- 8-Dec-2016 FILED: Motion to Compel Disclosure of CPS, Section 8 and School Records and for the Appropriate Sanctions (Petitioner Pro Per)
- 9-Dec-2016 ORDERED: Clerk of Maricopa County Superior Court to transmit record on appeal, including but not limited to reporter's transcripts and exhibits, to clerk, Court of Appeals, on/before 01/23/2017. Amy M Wood - Author
- 15-Dec-2016 FILED: Duplicate Copy of Petition for Review originally filed on 12/07/2016 (Petitioner Pro Per)

**Court of Appeals, Division One**  
**Criminal Petition Review Post Conviction Relief**

**1 CA-CR 16-0844 PRPC**

**STATE v. GONZALES**

38 PROCEEDING ENTRIES

9. 20-Dec-2016 ORDERED: \* Motion for This Court to Accept the Missing Pages and Attachments to my Petition for Review, Motion for the Clerk of this Court to put my Request for Admissions in Default and for this Court for a Default Judgement on my Admissions or Compel the State to Disclose, Request for the Clerk of this Court to Enter that the State is in Default of my Request for Admission, Request for Admissions from the State (True Admissions), Motion for a Default Judgement on my Request for Admissions, Motion to Compel Disclosure of CPS, Section 8 and School Records and for the Appropriate Sanctions (Petitioner Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
10. 22-Dec-2016 FILED: State's Response to Petition for Review; Certificate of Service to State's Response to Petition for Review (Respondent)
11. 27-Dec-2016 FILED: Motion to Compel Disclosure of Carmililas CPS, School Records and Antionettes Sections or Teresa's School Records (Petitioner Pro Per)
12. 27-Dec-2016 FILED: (Untitled) Letter Regarding Motion to Compel (Petitioner Pro Per)
13. 30-Dec-2016 FILED: Motion to Request this Court to Accept my Reply to the States Response on my Petition for Review (Petitioner Pro Per)
14. 9-Jan-2017 FILED: Special Action Writ of Mandamus (Petitioner Pro Per)
15. 10-Jan-2017 ORDERED: Motion to Compel Disclosure of Carmililas CPS, School Records and Antionettes Sections or Teresa's School Records (Petitioner Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
16. 10-Jan-2017 ORDERED: Motion to Request this Court to Accept my Reply to the States Response on my Petition for Review (Petitioner Pro Per) = GRANTED/Accepting the reply as filed. Anthony Mackey ProTem Judge - Author
17. 18-Jan-2017 ORDERED: Striking the "Special Action Writ of Mandamus" filed by petitioner on 01/09/2017. Anthony Mackey ProTem Judge - Author
18. 20-Jan-2017 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None Sent with e-Record
19. 20-Jan-2017 FILED: Additional Record on Appeal  
Exhibits:  
Hearing Date 07/10/2013 - List # 1 4 5 in a Manila Envelope  
Hearing Date 11/21/2014 - List # 1 2 in a Manila Envelope
20. 4-May-2017 FILED: Letter, 5/4/17 from Petitioner to Court requesting an accompanying motion be filed and asking for status of case
21. 4-May-2017 FILED: Letter, 5/4/17 from Court to Petitioner confirming motion was filed and enclosing a copy of the docket
22. 4-May-2017 FILED: Motion to Allow me to Present Relevant Information to this Court for its Consideration to Grant me Relief (Petitioner Pro Per)
23. 9-May-2017 ORDERED: Motion to Allow me to Present Relevant Information to this Court for its Consideration to Grant me Relief (Petitioner Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
24. 24-May-2017 FILED: Courtesy Copy - Notice of Post Conviction Relief filed in Maricopa County Superior Court on 05/19/2017
25. 21-Jun-2017 FILED: Courtesy Copy - Post Conviction Relief Pro Per Brief filed in Maricopa County Superior Court 06/15/2017.
26. 22-Aug-2017 FILED: Motion to Consolidate Rulings (Petitioner Pro Per)
27. 23-Aug-2017 FILED: (Duplicate) Petition for Review Motion to Consolidate Rulings, Notice (Petitioner Pro Per)
28. 29-Aug-2017 ORDERED: Motion to Consolidate Rulings (Petitioner Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
29. 27-Sep-2017 FILED: Motion respectfully Requesting this Court Consider this New Relevant and Material Evidence/Information when Reviewing my Case to Grant me Relief (Petitioner Pro Per)
30. 2-Oct-2017 ORDERED: Motion respectfully Requesting this Court Consider this New Relevant and Material Evidence/Information when Reviewing my Case to Grant me Relief (Petitioner Pro Per) = DENIED. Anthony Mackey ProTem Judge - Author
31. 15-Nov-2017 FILED: Special Action Writ of Mandamus (Petitioner Pro Per)
32. 20-Nov-2017 ORDERED: Special Action Writ of Mandamus (Petitioner Pro Per) (treated as a Motion to Amend the Petition for Review) = DENIED. Anthony Mackey ProTem Judge - Author

{132669}

1 CA-CR 16-0844 PRPC CR160844 CR 16 0844 CR-16-0844

*Information presented in this document may not reflect all case activity and is subject to change without notice.*

**Court of Appeals, Division One**  
**Criminal Petition Review Post Conviction Relief**

**1 CA-CR 16-0844 PRPC**

**STATE v. GONZALES**

**38 PROCEEDING ENTRIES**

33. 29-Nov-2017 FILED: Request Permission to Present my Special Action to the Supreme Court Petition to Inform this Court that the Special Action I sent was not a Petition for Review it was a Special Action (Petitioner Pro Per)
34. 7-Dec-2017 ORDERED: Request Permission to Present my Special Action to the Supreme Court Petition to Inform this Court that the Special Action I sent was not a Petition for Review it was a Special Action (Petitioner Pro Per) = DENIED. Hon Lawrence F Winthrop - Author
35. 12-Dec-2017 MEMORANDUM DECISION (Review Granted, Relief Denied) Hon Lawrence F Winthrop - Concur; Hon Diane M Johnsen - Concur; Hon Maria Elena Cruz - Concur PERCURIAM
36. 12-Dec-2017 FILED: Memorandum Decision Distribution List
37. 27-Dec-2017 FILED: Email Notice from ASC re: Petition for Review filed 12/26/17; request for partial record
38. 8-Jan-2018 FILED: Letter forwarding partial record to Arizona Supreme Court

12/9/2016	CAO - Court Of Appeals Order - Party (001)	12/12/2016	
11/30/2016	187 - ME: PCR: Order/Ruling - Party (001)	11/30/2016	
11/22/2016	167 - ME: Pcr Dismissed - Party (001)	11/22/2016	
11/18/2016	597 - ME: PCR: Assigned for Ruling - Party (001)	11/18/2016	
11/18/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	11/21/2016	Defendant (2)
NOTE: LETTER			
11/18/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	11/21/2016	Defendant (2)
NOTE: REQUEST FOR ADMISSIONS FROM THE STATE			
11/18/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	11/21/2016	Defendant (2)
NOTE: REQUEST FOR THE CLERK OF THIS COURT TO ENTER THAT THE STATE IS IN DEFAULT OF MY REQUEST FOR ADMISSIONS			
11/18/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	11/21/2016	Defendant (2)
NOTE: MOTION FOR A DEFAULT JUDGEMENT ON MY REQUEST FOR ADMISSION			
11/7/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	11/8/2016	Defendant (2)
NOTE: REPLY TO RESPONSE TO PETITION FOR POST CONVICTION RELIEF			
11/1/2016	187 - ME: PCR: Order/Ruling - Party (001)	11/1/2016	
11/1/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	11/2/2016	Defendant (2)
NOTE: NOTICE THAT I RECEIVED THE STATES RESPONSE AND WILL BE FILING A RESPONSE			
10/21/2016	RPP - Response to Petition for Post Conviction Relief - Party (001)	10/21/2016	
NOTE: RESPONSE TO PETITION FOR POST-CONVICTION RELIEF			
10/12/2016	019 - ME: Ruling - Party (001)	10/12/2016	
10/3/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	10/4/2016	Defendant (2)
NOTE: REQUEST FOR ADMISSION FROM THE STATE			
9/28/2016	197 - ME: PCR: Extension of Time - Party (001)	9/28/2016	
9/27/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	9/28/2016	Defendant (2)
NOTE: MOTION TO INQUIRY INTO THE COURT OF APPEALS MEMORANDUM DECISION AFFIRMED IN PART VACATED IN PART			
9/26/2016	MET - Motion for Extension Of Time - Party (001)	9/26/2016	
NOTE: Motion for Extension of Time to File Response to Petition for Post-Conviction Relief			
9/22/2016	187 - ME: PCR: Order/Ruling - Party (001)	9/22/2016	
9/16/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	9/19/2016	Defendant (2)
NOTE: MOTION TO COMPEL DISCLOSURE OF CPS SECTION 8 AND SCHOOL RECORDS AND FOR THE APPROPRIATE SANCTIONS			
9/16/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	9/19/2016	Defendant (2)
NOTE: MOTION TO COMPEL DISCLOSURE OF CPS,SECTION 8 AND SCHOOL RECORDS AND FOR THE APPRECIATE SANCTIONS			
8/12/2016	187 - ME: PCR: Order/Ruling - Party (001)	8/12/2016	
8/11/2016	187 - ME: PCR: Order/Ruling - Party (001)	8/11/2016	
8/8/2016	PCR - Post Conviction Relief - Party (001)	8/8/2016	Defendant (2)
8/5/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	8/8/2016	Defendant (2)
NOTE: LETTER			
7/18/2016	187 - ME: PCR: Order/Ruling - Party (001)	7/18/2016	
7/18/2016	187 - ME: PCR: Order/Ruling - Party (001)	7/18/2016	
7/12/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	7/13/2016	Defendant (2)
NOTE: MOTION FOR THE ORDER FOR THE DISCLOSURE OF CPS AND SECTION 8 RECORDS			
7/1/2016	PCR - Post Conviction Relief - Party (001)	7/5/2016	Defendant (2)
6/3/2016	187 - ME: PCR: Order/Ruling - Party (001)	6/3/2016	
5/18/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	5/19/2016	Defendant (2)
NOTE: MOTION FOR RECONCERATION ON MY MOTION TO COMPEL DISCLOSURE			
5/18/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	5/19/2016	Defendant (2)
NOTE: MOTION FOR CLARIFICATION OF WHAT AN ESSENTIAL ELEMENT OF A CRIME IS			
5/5/2016	197 - ME: PCR: Extension of Time - Party (001)	5/5/2016	
5/5/2016	CCR - Confidential Criminal Report - Party (001)	5/6/2016	
5/4/2016	187 - ME: PCR: Order/Ruling - Party (001)	5/4/2016	
4/27/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	4/28/2016	Defendant (2)
NOTE: MOTION FOR AN EXTENTION OF TIME TO FILE MY PRO PER SUPPLEMENTAL BRIEF AND TO COMPEL DISCLOSURE			
4/27/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	4/28/2016	Defendant (2)
NOTE: LETTER			
4/26/2016	NOT - Notice - Party (001)	4/26/2016	
NOTE: NOTICE OF COMPLETION			
3/14/2016	NOT - Notice - Party (001)	3/14/2016	
NOTE: Notice of Compliance			
3/14/2016	ALT - Appeals Letter Of Transmittal - Party (001)	3/16/2016	
3/14/2016	MAN - Order Of Mandate - Party (001)	3/16/2016	
NOTE: AFFIRMED IN PART;VACATED IN PART			
3/11/2016	NOT - Notice - Party (001)	3/11/2016	
NOTE: NOTICE OF COMPLIANCE			
3/1/2016	596 - ME: PCR: Initiated/Atty Apptd re: trial - Party (001)	3/1/2016	
3/1/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	3/3/2016	Defendant (2)
NOTE: NEW ADDRESS CHANGE			
2/26/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	2/29/2016	Defendant (2)
NOTE: MOTION RESPECTFULLY REQUESTING AN INCAMERA REVIEW OF CARMILITAS CPS RCORDS			
2/26/2016	PPM - Pro Per Motion/Notice/Mail - Party (001)	2/29/2016	Defendant (2)
NOTE: MOTION TO COMPEL DISCLOSURE OF ANTOINETTES SECTION 8 RECORDS			
2/19/2016	NPC - Notice Of Post Conviction Relief - Party (001)	2/22/2016	Defendant (2)
1/7/2015	REC - Receipt - Party (001)	1/8/2015	
NOTE: FROM ATTORNEY GENERAL			