

# APPELLATE CASE HISTORY

**Ramiro Osegura Jr. v. State of Utah**

\*\*PRIVATE\*\*

**Appellate Case #:** 20120018

**Appeal File Date:** 11-18-2011

**District Case #:** 110902070 SECOND DISTRICT, OGDEN DEPT

**Case Type:** Post Conviction Relief

**Status:** Under Advisement

**Judge:**

**Hearing Date:**

Party	Party Type	Attorney
Osegura Jr., Ramiro	Appellant	5970 10908 12258 14735
State of Utah, BUSINESS	Appellee	9866

Summary of Actions	Date	Details
Notice of Appeal Filed	01-13-2012	
Courtesy Copy	01-13-2012	Notice of Appeal
Docketing Statement Filed	02-02-2012	
Default Letter Sent	02-15-2012	Appellant to request transcript w/in 10 days if not appeal will proceed
Default Letter Sent	02-15-2012	w/out them
Transcript Request Received	02-22-2012	09-22-2011
Ack. of Request for Transcript	02-22-2012	09-22-2011 : Jason Bohn
Courtesy Copy	02-23-2012	Appellant request the 9-22-11 hearing be transcribed
Clerk's Note	02-27-2012	Per Lee- case will be handled by the criminal appeals division rather than
Clerk's Note	02-27-2012	the civil division
Notice of Transcript Filed TC	03-05-2012	09-22-2011
Called for Record	03-28-2012	Emailed trial court to send paginated record
Called for Record	04-12-2012	E-mailed trial court to send transcript
Record Filed	04-17-2012	2 vol. pleadings and 1 envelope exhibit [8-P]
Record Filed	04-17-2012	(1 green pleading file is the actual transcript)
Set Briefing Schedule	04-18-2012	Appellant's brief is due on or before May 31, 2012
Extension of Time for Appellan	05-24-2012	Parties stipulate to a 30 day extension of time to June 30, 2012 to file
Extension of Time for Appellan	05-24-2012	appellant's brief. (order attached)
Extension Granted	07-09-2012	IT IS HEREBY ORDERED that Appellant is granted a further extension of time
Extension Granted	07-09-2012	to July 14, 2012, to file Appellant's brief.
Extension of Time for Appellan	07-09-2012	Appellant's motion for a 14 day extension of time to July 14, 2012, to
Extension of Time for Appellan	07-09-2012	file appellant's brief. Appellee stipulates to motion. **2nd request**
Called Attorney	08-06-2012	Carlos Navarro- 562-896-7664 regarding record let him know he needs to
Called Attorney	08-06-2012	file a motion to stay briefing pending correction of record. (only the
Called Attorney	08-06-2012	first pages in each document is numbered)
Order issued on Court's own Mot	08-13-2012	IT IS HEREBY ORDERED that the briefing schedule is stayed pending

Order issued on Court's own Mot	08-13-2012	correction of the record. Upon receipt of the corrected record, the
Order issued on Court's own Mot	08-13-2012	time the clerk shall re-establish the due date for Appellant's brief.
Order issued on Court's own Mot	08-13-2012	forward to this court the corrected record and record index, at which
Order issued on Court's own Mot	08-13-2012	Second District Court, Ogden Department, shall immediately prepare and
Record Filed	08-21-2012	1 vol. pleading, 1 vol. (9-22-11) transcript and 1 Envelope Exhibit
Re-set Briefing Schedule	08-22-2012	Appellant's brief is due on or before October 4, 2012
Misc. Letter	08-27-2012	From Hakeem Ishola- requesting to check out the record
Appellant's Brief Filed	10-03-2012	
Brief on Disc filed	10-03-2012	By Appellant
Appearance of Counsel	10-23-2012	Ryan Tenney appears as counsel for the State
Extension Granted	11-03-2012	IT IS HEREBY ORDERED that Appellee is granted an extension of time ot
Extension Granted	11-03-2012	December 5, 2012, to file Appellee's brief.
Extension of Time for Appellee	11-03-2012	Appellee's motion for a 30-day extension to December 5, 2012 to file
Extension of Time for Appellee	11-03-2012	appellee's brief **1st Request**
Extension Granted	12-08-2012	IT IS HEREBY ORDERED that Appellee is granted a further extension of time
Extension Granted	12-08-2012	to January 4, 2013, to file Appellee's brief.
Extension of Time for Appellee	12-08-2012	Appellee's motion for a 30 day extension of time to January 4, 2013, to
Extension of Time for Appellee	12-08-2012	file appellee's brief.**2nd request** Ex-parte,
Extension Granted	12-31-2012	IT IS HEREBY ORDERED that Appellee is granted an extension of time to
Extension Granted	12-31-2012	February 4, 2013, to file Appellee's brief. Appellee is advised that any
Extension Granted	12-31-2012	counsel.
Extension Granted	12-31-2012	showing of emergency circumstances beyond the control of Appellee's
Extension Granted	12-31-2012	further extension requests to file the brief will be granted only upon a
Extension of Time for Appellee	12-31-2012	Appellee's motion for a 30-day extension to February 4, 2012 to file
Extension of Time for Appellee	12-31-2012	appellee's brief **3RD REQUEST** (February 3, 2012 is a Sunday)
Brief Lodged	02-19-2013	Appellee's brief lodged- late filing (extension pending)
Misc Motion Denied	03-07-2013	IT IS HEREBY ORDERED that Appellee's motion to seal the brief is denied.
Misc Motion Denied	03-07-2013	However, IT IS ORDERED that all briefs shall be deemed private as set
Misc Motion Denied	03-07-2013	be granted in accordance with Utah R. Jud. Admin. rule 4202.03(3).
Misc Motion Denied	03-07-2013	forth in Utah R. Jud. Admin. 4-202.02(4)(o). Access to the briefing shall
Misc Motion	03-07-2013	State's Motion to Seal Brief
Extension Granted	03-07-2013	IT IS HEREBY ORDERED that Appellee's brief filed on February 14, 2013, is
Extension Granted	03-07-2013	deemed to have been timely filed.
4th Ext. Req.-Appellee Brief	03-07-2013	Appellee's motion for a 10 day extension of time to February 14, 2013 to
4th Ext. Req.-Appellee Brief	03-07-2013	file appellee's brief. **4th request**

Appellee's Brief Filed	03-07-2013	**Private**
Brief on Disc filed	03-07-2013	By Appellee
Extension of Time for Reply Br	03-13-2013	Parties stipulate to a 30 day extension of time to April 15, 2013 to file
Extension of Time for Reply Br	03-13-2013	appellant's reply brief. Notified CS
Appellant's Reply Brief Filed	04-15-2013	
Brief on Disc filed	04-15-2013	Appellant's reply
Calendared	07-22-2013	Scheduled on: Friday, Sep. 20, 2013 at: 09:30:00
Calendared	07-22-2013	Panel: 1397 Roth, Christiansen, Voros. Voros-author. Christiansen-chair
Appearance of Counsel	09-20-2013	Jonathan Benson enters his appearance of
Appearance of Counsel	09-20-2013	counsel for appellant / Ramiro Oseguera, Jr. Fax.
Appearance of Counsel	09-23-2013	Jonathan Benson enters his appearance as counsel for Petitioner Mr
Appearance of Counsel	09-23-2013	Oseguera
Submitted on Oral Argument	09-26-2013	Session 1
Certified to the Supreme Court	10-15-2013	IT IS HEREBY ORDERED that this appeal is certified for immediate transfer
Certified to the Supreme Court	10-15-2013	to the Utah Supreme Court for determination.
Certified from Court of Appeal	10-16-2013	
Supplemental Brief Order	10-16-2013	Appellant's supplemental or replacement brief due by November 18, 2013.
Supplemental Brief Order	10-16-2013	Appellee's supplemental or replacement brief due 30 days thereafter.
Supplemental Brief Order	10-16-2013	replacement pleading or for additional time.
Supplemental Brief Order	10-16-2013	**The Court will not accept any motions for an overlength supplemental or
Supplemental Brief Order	10-16-2013	Apt's sup/replacement reply brief due 20 days thereafter.
Clerk's Note	10-17-2013	BRIEFS ARE PRIVATE. Place briefs in L&M file when case is closed.
Clerk's Note	10-17-2013	Record is now located in 8-E.
Supplemental Brief Filed	11-19-2013	Appellant's brief
Brief on Disc filed	11-27-2013	Appellant's supplemental brief
Certificate of Service	11-27-2013	Appellant's supplemental brief was served on opposing counsel
Record Checkout Auth. Letter	11-27-2013	Letter from Ryan Tenney authorizing runner to check out record.
Extension of Time for Appellee	12-16-2013	Appellee's motion for thirty-day enlargement of time to January 8, 2014,
Extension of Time for Appellee	12-16-2013	to file appellee's replacement and/or supplemental brief. Ex-parte.
Extension Denied	12-16-2013	The State's motion for extension of time is denied. The State's brief
Extension Denied	12-16-2013	shall be filed within ten days of the date of this order.
Replacement Brief Filed	12-24-2013	Appellee's brief
Brief on Disc filed	12-24-2013	Appellee's replacement brief
Calendared	02-19-2014	Scheduled on: Thursday, Mar. 06, 2014 at: 09:30:00
Calendared	02-19-2014	Panel: 1376 CMD, MBD, JNP, REN, TRL
Submitted on Oral Argument	03-06-2014	