

No. CA-24-001

Pascua Yaqui Tribe Court of Appeals

In the Matter of Santiago D. Laguna

For the Public Defender: Rafael Gallego, 4725 W. Calle Tetakusim
Building B, Tucson, AZ 85757

For the Tribe: Coleen Theone, Esq.
PYT Office of the Prosecutor, 7777 S. Camino Huivisim,
Bldg A, 2nd Floor, Tucson AZ 85757

Order Regarding Motion to Withdraw Appeal

Pursuant to the unopposed motion of the Public Defender's Office to withdraw the appeal in this case, this Court grants the motion and this appeal is dismissed.

So **ORDERED** this 4th day of March, 2024.

_____/s/ RJM_____

Robert J. Miller
Interim Chief Justice
Pascua Yaqui Tribe Court of Appeals

1 **Pascua Yaqui Public Defender**
2 4725 W Calle Tetakusim, Building B
3 Tucson, Arizona 85757
4 (520) 883-5013

5 **Rafael Gallego, Esq.**
6 **PYT Bar No: 10390**

7 **THE PASCUA YAQUI COURT OF APPEAL**
8 **IN AND FOR THE PASCUA YAQUI INDIAN RESERVATION**
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12 IN THE MATTER OF:
13 SANTIAGO D. LAGUNA,
14 DOB: 04/15/2008
15 A minor

CA-24-001

**MOTION TO ABANDON
APPEAL**

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17 Santiago Daniel Laguna, a minor defendant, by and through the Pascua
18 Yaqui Public Defender's Office, Rafael Gallego, Esq., Chief Defender, respectfully
19 submits this Motion to Abandon Appeal.
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21 Undersigned counsel spoke to Santiago Laguna about maintaining his
22 appeal, and Laguna indicated that he no longer wants to challenge the Trial
23 Court's ruling.
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25 Undersigned counsel conferred with Assistant Tribe Prosecutor Coleen
26 Theone, who indicated that the Tribe has no objection to the Court of Appeal
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1 granting Laguna the relief requested.

2 Finally, attached is Laguna's Notice to the Court that he wishes to abandon
3
4 his appeal.

5 RESPECTFULLY SUBMITTED this 29 February 2024.

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7 Rafael Gallego
8 Pascua Yaqui Chief Public Defender

9 /s/ Rafael Gallego
10 Rafael Gallego, Esq.
11 Attorney for Santiago D. Laguna
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1 **Pascua Yaqui Public Defender**
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6 **PYT Bar No: 10390**

7 **THE PASCUA YAQUI JUVENILE COURT**
8 **IN AND FOR THE PASCUA YAQUI INDIAN RESERVATION**
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11 **IN THE MATTER OF:**
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13 **LAGUNA, SANTIAGO DANIEL,**
14 **DOB: 04/15/2008**
15 **A minor**

16 **JD-23-007**
17 **NOTICE OF ABANDONMENT**
18 **OF APPEAL**

19 **Santiago Daniel Laguna, Defendant, by and through the Pascua Yaqui**
20 **Public Defender's Office, Rafael Gallego, Esq., Chief Defender respectfully**
21 **notifies this Court of Appeal that Laguna wishes to abandon his right to appeal.**

22 **RESPECTFULLY SUBMITTED this 29 February 2024.**

23 **Rafael Gallego**
24 **Pascua Yaqui Chief Public Defender**

25 /s/ Rafael Gallego
26 **Rafael Gallego, Esq.**
27 **Representing Santiago Laguna**

28 Santiago Laguna
Santiago Laguna

Pascua Yaqui Public Defender
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Tucson, Arizona 85757
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Mark F. Willimann, Esq.
PYT Bar No: 10391 AZ Bar No: 017556

THE PASCUA YAQUI JUVENILE COURT

IN AND FOR THE PASCUA YAQUI INDIAN RESERVATION

IN THE MATTER OF:

LAGUNA, SANTIAGO DANIEL,
DOB: 04/15/2008
A minor

JD-23-007

NOTICE OF APPEAL

Santiago Daniel Laguna, Defendant, by and through the Pascua Yaqui Public Defender's Office, Rafael Gallego, Esq., Chief Defender, and his Deputy Public Defender, Mark F. Willimann, Esq., respectfully submits this Notice of Appeal of all of the Tribal Court's pre-trial and trial rulings, the finding of sufficiency of the evidence to support guilty verdicts, and the disposition imposed.

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1 The Tribal Court issued its Disposition on October, 23, 2023, and then it
2 issued its final ruling on November 6, 2023, when it denied Laguna's Motion to
3 Modify Disposition terms; hence, since this Notice is within 30-days of either of
4 these dates, this Notice is timely.
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7 RESPECTFULLY SUBMITTED this 15 November 2023.

8 Rafael Gallego
9 Pascua Yaqui Chief Public Defender

10 /s/ Mark F. Willimann
11 Mark F. Willimann, Esq.
12 Attorney for Feliciano Cruz, Jr.
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