

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

**1 CA-CR 25-0223 PRPC**

**STATE v. AGUILAR**

**Appellate Case Information**

Case Filed: 30-May-2025  
 Case Closed:

**Dept/Composition**

**Department A**  
 Hon. Samuel A Thumma  
 Hon. Andrew J Becke  
 Hon. Kent E Cattani

**Side 1. STATE OF ARIZONA, Respondent**

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Respondent**

Philip D Garrow, Esq. (AZ Bar No. 22458)

**Side 2. DAVID HERAN AGUILAR, Petitioner**

(Litigant Group) DAVID HERAN AGUILAR

- David Heran Aguilar

PRO SE

**CASE STATUS**

Mar 11, 2026....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2023-114490-001			Joseph Shayne Kiefer, Judge on PC		

**CASE DECISION**

**04-Feb-2026 MEMORANDUM DECISION**

Samuel Thumma.....Author  
 Andrew Becke.....Concur  
 Kent Cattani.....Concur

Filed: **04-Feb-2026**

Mandate: **11-Mar-2026**

Decision Disposition

**Review Granted**  
**Relief Denied**

**19 PROCEEDING ENTRIES**

- 30-May-2025 FILED: Petition for Review (PCR) (Petitioner Pro Per)
- 2-Jun-2025 FILED: Notice of Filing (Petitioner Pro Per)
- 2-Jun-2025 FILED: Motion to Appoint Counsel (Petitioner Pro Per)
- 3-Jun-2025 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 07/18/2025. Matthew J Martin - Author
- 9-Jun-2025 ORDERED: Motion to Appoint Counsel (Petitioner Pro Per) = DENIED. Denise McGimsey ProTem Judge - Author
- 12-Jun-2025 FILED: Motion to Suspend Rule 31 (Petitioner Pro Per)
- 16-Jun-2025 ORDERED: Deferring a ruling on the motion to the panel that considers the petition for review on the merits. Denise McGimsey ProTem Judge - Author
- 20-Jun-2025 FILED: Request to Participate in the Pro Bono Program (Petitioner Pro Per)
- 17-Jul-2025 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: 34  
Digital Exhibits: None sent with e-Record
- 21-Jul-2025 ORDERED: Request to Participate in the Pro Bono Program (Petitioner Pro Per) = DENIED. Denise McGimsey ProTem Judge - Author
- 1-Aug-2025 FILED: Letter, 7/27/25, from Petitioner to Court requesting information on how to include materials
- 4-Aug-2025 FILED: Addendum to Petition for Review (Petitioner Pro Per)  
  
[Stricken per order filed 08/11/2025]
- 4-Aug-2025 FILED: Untitled (Motion to Supplement Record with Addendum and Request for Counsel) (Petitioner Pro Per)
- 11-Aug-2025 FILED: Letter, 8/11/25, from Court to Petitioner, enclosing motion/certificate of service forms

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| 15. | 11-Aug-2025 | ORDERED: Untitled (Motion to Supplement Record with Addendum and Request for Counsel) (Petitioner Pro Per) = DENIED. FURTHER ORDERED: Striking the addendum to the petition for review filed on 08/04/2025. FURTHER ORDERED: This order is without prejudice to petitioner filing a notice of supplemental legal authority that "state[s] concisely and without argument the legal proposition supported by the supplemental authority." Ariz. R. Crim. P. 31.16(b). FURTHER ORDERED: Denying petitioner's request for appointed counsel for the reason set forth in this court's earlier order on the same issue. Denise McGimsey ProTem Judge - Author |
| 16. | 4-Feb-2026  | MEMORANDUM DECISION (Review Granted, Relief Denied) Hon Samuel A Thumma - Author; Hon Andrew J Becke - Concur; Hon Kent E Cattani - Concur   |
| 17. | 4-Feb-2026  | FILED: Decision Distribution Notification  |
| 18. | 11-Mar-2026 | FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.  |
| 19. | 11-Mar-2026 | FILED: Letter dated 03/11/2026, to Dept Public Safety Re: Copy of Mandate/Decision/Disposition Report  |