

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

1 CA-CR 25-0428 PRPC

STATE v. GILLIAM

Appellate Case Information

Case Filed: 6-Oct-2025
Case Closed:

Dept/Composition

Department F
Hon. David B Gass
Hon. Anni Hill Foster
Hon. D Andrew Gaona

Side 1. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

• State of Arizona

Attorneys for: Respondent

Faith Cheree Klepper, Esq. (AZ Bar No. 18444)

Side 2. BRYAN MATTHEW GILLIAM, Petitioner

(Litigant Group) BRYAN MATTHEW GILLIAM

• Bryan Matthew Gilliam

Attorneys for: Petitioner

Patrick C Coppen, Esq. (AZ Bar No. 14756)

CASE STATUS

Feb 25, 2026....Under Advisement

Feb 25, 2026....Assigned

PREDECESSOR CASE (S)

MAR CR2007-175000-002

Cause/Charge/Class

Judgment/Sentence

Judge, Role <Comments>

Joseph C Kreamer, Judge
on PC

Trial

Dispo

27 PROCEEDING ENTRIES

1. 6-Oct-2025 FILED: Petition For Review of Summary Dismissal of Defendant Gilliam's Request for Post Conviction Relief in Rule 32.1 (H) Actual Innocence Case Employing Legally Erroneous Ewer Victim's Justification Defense with Related Errors/Claims & Constitutional Error; Petitioner's Certificate of Service; Summary Dismissal & Related Minute Entries in State V. Bryan Gilliam Cr2007175000-002 File Dated 1/28/25, 8/5/25 And 9/9/25 (Petitioner)

[STRICKEN per order filed 10/08/2025]
2. 8-Oct-2025 ORDERED: Striking the petition for review filed 10/06/2025. FURTHER ORDERED: Allowing petitioner until 10/23/2025, to file a replacement petition that does not exceed the length permitted by Rule 32.16(c)(1). Denise McGimsey ProTem Judge - Author
3. 23-Oct-2025 FILED: Motion for Procedural Order to Extend Time to File Petition for Review for Five (5) Days Based Upon Good Cause: 1) A Proper Exercise of Defendant's Sixth Amendment Right to Assist Counsel in Rule 32 Defense, 2) New Arizona Legal Authority in State v. Brown & 3) Unforeseen Medical Emergency; Certificate of Service (Petitioner)
4. 24-Oct-2025 ORDERED: Motion for Procedural Order to Extend Time to File Petition for Review for Five (5) Days Based Upon Good Cause: 1) A Proper Exercise of Defendant's Sixth Amendment Right to Assist Counsel in Rule 32 Defense, 2) New Arizona Legal Authority in State v. Brown & 3) Unforeseen Medical Emergency (Petitioner) = GRANTED. Due date EXTENDED from Thursday, 10-23-2025 to Tuesday, 10-28-2025 Denise McGimsey ProTem Judge - Author
5. 28-Oct-2025 FILED: Untitled (Petition for Review) (PCR); Certificate of Service; Summary Dismissal & Related Minute Entries in State v. Bryan Gilliam CR2007175000-002 File Date 1/28/25, 8/5/25 and 9/9/25 (Petitioner)
6. 28-Oct-2025 FILED: Petition For Review of Summary Dismissal of Defendant Gilliam's Request for Post Conviction Relief in Rule 32.1 (H) Actual Innocence Case Employing Legally Erroneous Ewer Victim's Justification Defense with Related Errors/Claims & Constitutional Error (Caption Page and Table of Contents); Certificate of Service (Petitioner)
7. 29-Oct-2025 FILED: Notice Of Preparation of Amended Petition for Review to Join Timely Filed Body of Petition for Review with Corrected 1 St Part of Petiton [sic] For Review Enumerated with Roman Numerals; Certificate of Service (Petitioner)
8. 29-Oct-2025 FILED: Amended Petition for Review of Summary Dismissal of Defendant Gilliam's Request for Post Conviction Relief in Rule 32.1 (H) Actual Innocence Case Employing Legally Erroneous Ewer Victim's Justification Defense with Related Significant Change of Law & Cons; Certificate of Service (Petitioner)
9. 30-Oct-2025 FILED: Motion for Procedural Order to Allow Defendant Petitioner Bryan Gilliam to File Amended Petition for Review Exceed in the 6,000 word count limit; Certificate of Service (Petitioner)
10. 30-Oct-2025 FILED: Motion for Procedural Order to File/Receive Amended Petition for Review; Certificate of Service (Petitioner)
11. 31-Oct-2025 ORDERED: Motion for Procedural Order to Allow Defendant Petitioner Bryan Gilliam to File Amended Petition for Review Exceed in the 6,000 word count limit; (Petitioner) = GRANTED. FURTHER ORDERED: Motion for Procedural Order to File/Receive Amended Petition for Review (Petitioner) = GRANTED and accepting the amended petition for review filed on 10/29/2025. Hon Randall M Howe - Author
12. 31-Oct-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 12/15/2025. Matthew J Martin - Author

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

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27 PROCEEDING ENTRIES

13. 11-Nov-2025 FILED: Notice of Filing Oral Argument Transcript Regarding Defendant's Petition for Post Conviction Relief Claims Dated 01/07/2025; Certificate of Service; Reporter's Transcript - 01/07/2025 (Jaime Caris) (Petitioner)
14. 11-Nov-2025 FILED: Petitioner's [sic] Appendix of Exhibits (Exhibits 1-8); Untitled (Petitioner's Exhibits 1-8); Certificate of Service (Petitioner)
15. 11-Nov-2025 FILED: Notice of Filing Maricopa County Superior Court Oral Argument Transcript Regarding Defendant's Petition for Post Conviction Relief Claims Dated 01/07/2025; Corrected Certificate of Service; Reporter's Transcript - 01/07/2025 (Jaime Caris) (Petitioner)
16. 24-Nov-2025 FILED: State's Response To Defendant's Amended Petition For Review; Certificate of Service (Respondent)
17. 7-Dec-2025 FILED: Motion to Extend Time to File Reply Brief Due to Arizona Department of Corrections Unforeseen Movement of Defendant Gilliam from ASPC Tucson to La Palma Correctional Facility in Eloy, Arizona; Certificate of Service (Petitioner)
18. 8-Dec-2025 ORDERED: Motion to Extend Time to File Reply Brief Due to Arizona Department of Corrections Unforeseen Movement of Defendant Gilliam from ASPC Tucson to La Palma Correctional Facility in Eloy, Arizona (Petitioner) = GRANTED. Due date EXTENDED from Tuesday, 12-09-2025 to Tuesday, 12-16-2025 Denise McGimsey ProTem Judge - Author
19. 12-Dec-2025 FILED: Additional Record on Appeal
Physical Exhibits:
Hearing Date: 10/19/2009 List # 1 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 49 in manila envelope (in a box)
Hearing Date: 02/23/2010 List # 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 5051 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 235 246 247 248 249 250 251 252 253 254 255 256 257 258 261 279 282 283 284 285 286 287 288 289 290 291 292 293 294 in manila envelope (in a box)
Hearing Date: 08/24/2010 List # 1 2 3 4 5 6 in manila envelope (in a box)
Hearing Date: 01/21/2011 List # 1 2 in manila envelope (in a box)
20. 15-Dec-2025 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 447
Digital Exhibits: None sent with e-Record
Reporter's Transcripts: 08/24/2010, 02/25/2010, 10/20/2009, 10/19/2009, 02/24/2010, 03/30/2010, 03/31/2010, 04/01/2010, 04/05/2010, 04/08/2010, 04/07/2010, 04/06/2010, 03/03/2010, 04/24/2010, 04/12/2010, 03/10/2010, 03/29/2010, 10/28/2009, 03/11/2010, 03/09/2010 (Laura Ashbrook); 10/21/2009 (Jovanna Roman); 11/02/2009, 11/06/2009 (Michael Haley); 01/22/2010, 02/03/2010, 01/27/2010, 02/09/2010, 02/05/2010 (Tara Kramer); 03/02/2010 (M Lisa Edgar); 03/08/2010 (Denise Vaishville) 01/21/2011 (Wanda Bauer); 10/22/2009 (Linda Lopez)
21. 17-Dec-2025 FILED: Reply Brief Supporting Petition for Review of Summary Dismissal of Defendant Gilliam's Request for Post Conviction Relief Regarding Actual Innocence, Significant Change of Law and Federal Constitutional Claim Under Chambers V Mississippi; Certificate of Compliance; Certificate of Service (Petitioner)
22. 17-Dec-2025 FILED: Motion to Extend/Enlarge Time to File Reply Brief Due to Unforeseen Circumstances Including Having to Shorten Brief to Comply with Rule 32.9 ARCrImP and Rule 32 Counsel Being Under the Weather; Certificate of Service (Petitioner)
23. 17-Dec-2025 ORDERED: Motion to Extend/Enlarge Time to File Reply Brief Due to Unforeseen Circumstances Including Having to Shorten Brief to Comply with Rule 32.9 ARCrImP and Rule 32 Counsel Being Under the Weather (Petitioner)= GRANTED and accepting the reply filed on 12/17/2025. Denise McGimsey ProTem Judge - Author
24. 17-Dec-2025 FILED: Reply Brief Supporting Petition for Review of Summary Dismissal of Defendant Gilliam's Request for Post Conviction Relief Regarding Actual Innocence, Significant Change of Law and Federal Constitutional Claim under Chambers v Mississippi; Certificate of Compliance; Certificate of Service (Duplicate) (Petitioner)
25. 19-Dec-2025 FILED: Motion to Request Permission to File Exhibit Supporting Defendant's Petition for Review Essential to Appellate Court's Consideration in PCR Case Involving Actual Innocence, Significant Change of Law and Constitutional Claims; Certificate of Service (Petitioner)
26. 26-Dec-2025 ORDERED: Motion to Request Permission to File Exhibit Supporting Defendant's Petition for Review Essential to Appellate Court's Consideration in PCR Case Involving Actual Innocence, Significant Change of Law and Constitutional Claims (Petitioner) = GRANTED. Denise McGimsey ProTem Judge - Author
27. 31-Dec-2025 FILED: Physical CD for State v. Bryan County Case No. CR2007-175000002 Court of Appeals Division One (Petitioner)