

Arizona Supreme Court
Civil Petition for Review - Special Action

CV-25-0176-PR

ALLER v STATE

Appellate Case Information

Case Filed: 30-Jun-2025
Case Closed:

Dept/Composition
En Banc

Hon. Ann A. Scott Timmer
Hon. John R Lopez
Hon. Clint Bolick
Hon. James P Beene
Hon. William G Montgomery
Hon. Kathryn H. King
Hon. Maria Elena Cruz

Side 1. GARY ALLER, Petitioner

(Litigant Group) GARY ALLER

- Gary Aller

Attorneys for: Petitioner

Stephen M Dichter, Esq. (AZ Bar No. 4043)
JP Harrington Bisceglia, Esq. (AZ Bar No. 26606)
AnnaMarie Lively, Esq. (AZ Bar No. 39747)
Nathan Andrews, Esq. (AZ Bar No. 33293)

Side 2. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Respondent

Todd Christopher Lawson, Esq. (AZ Bar No. 20216)
Kristin K Mayes, Esq. (AZ Bar No. 22584)
Krista Wood, Esq. (AZ Bar No. 25503)
Philip Casey Grove, Esq. (AZ Bar No. 35775)

Side 3. ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE, Amicus Curiae

(Litigant Group) ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE

- Arizona Attorneys for Criminal Justice

Attorneys for: Amicus Curiae

David J Euchner, Esq. (AZ Bar No. 21768)
Carol Lamoureux, Esq. (AZ Bar No. 31262)

CASE STATUS

Feb 19, 2026....Submitted

Jan 6, 2026.....At Issue

Jan 6, 2026.....Oral Argument Granted

PREDECESSOR CASE(S)

	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-SA 25-0110				
↪ MAR	CR2021-001791-002		Kristin Culbertson, Authoring Judge of Order Comments: (none)		

22 PROCEEDING ENTRIES

- 30-Jun-2025 FILED: Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Certificate of Compliance; Order Accepting Special Action Jurisdiction (Petitioner Aller)
- 30-Jun-2025 FILED: Appendix; Certificate of Service (Petitioner Aller)
- 2-Jul-2025 FILED: Notice of Appearance; Certificate of Service (Respondent State of Arizona)
- 2-Jul-2025 FILED: Record from CofA: Electronic Record
- 15-Jul-2025 RECEIPT No.: 2025-00198 ; \$330.00, Authorization: 8830526437908414, Applied to: GARY ALLER - Class A Filing Fee (\$330.00) Paid for: GARY ALLER - By nCourt LLC
- 25-Sep-2025 The Clerk of the Supreme Court having been authorized by the Supreme Court to order any party to file a response to a petition for review at the direction of a Supreme Court staff attorney,

IT IS ORDERED that Respondent State of Arizona file a response to the petition for review on or before October 17, 2025.

IT IS FURTHER ORDERED no extensions of time will be granted absent extraordinary circumstances. (Aaron C. Nash, Clerk)
- 14-Oct-2025 FILED: Motion for Procedural Order; Request for Extension of Response Deadline; Certificate of Service (Respondent State of Arizona)

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8. 15-Oct-2025 A "Motion for Procedural Order; Request for Extension of Response Deadline" (Respondent State of Arizona) having been filed on October 14, 2025,

IT IS ORDERED granting an extension of time to file the response to petition for review on or before November 17, 2025. No further extensions of time will be granted absent extraordinary circumstances. (Aaron C. Nash, Clerk)
9. 17-Nov-2025 FILED: State's Response to Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Certificate of Compliance (Respondent State of Arizona)
10. 15-Dec-2025 ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = CONTINUED.
11. 6-Jan-2026 ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than January 26, 2026. Any amicus briefs are due on or before February 5, 2026 and any responses to amicus briefs are due on or before February 13, 2026. Any amicus briefs or responses may not exceed 20 pages in length.
12. 13-Jan-2026 NOTICE OF ORAL ARGUMENT: Set for Thursday, February 19, 2026 at 10:15 A.M. [20 minutes per side].
13. 15-Jan-2026 Notice of Acknowledgment of Oral Argument (Nathan Adrews will argue) (Petitioner Aller)
14. 26-Jan-2026 FILED: Respondent's Supplemental Brief; Certificate of Service; Certificate of Compliance (Respondent State of Arizona)
15. 26-Jan-2026 FILED: Petitioner's Supplemental Brief; Certificate of Service; Certificate of Compliance (Petitioner Aller)
16. 29-Jan-2026 FILED: Record from CofA: Remaining Entire Record
17. 30-Jan-2026 FILED: Notice of Acknowledgment of Oral Argument (Philip Casey Grove will argue) (Respondent State of Arizona)
18. 5-Feb-2026 FILED: Brief of Amicus Curiae Arizona Attorneys for Criminal Justice in Support of Petitioner; Certificate of Service; Certificate of Compliance (Amicus AACJ)
19. 5-Feb-2026 FILED: Motion for Leave to File an Amicus Curiae Brief (Amicus AACJ)
20. 9-Feb-2026 A "Motion for Leave to File an Amicus Curiae Brief" (Amicus AACJ) and the brief of amicus curiae were filed on February 5, 2026. After consideration,

IT IS ORDERED the "Motion for Leave to File an Amicus Curiae Brief" is granted. The brief will be filed as of February 5, 2026. (Hon. Ann A. Scott Timmer)
21. 13-Feb-2026 FILED: Respondent State of Arizona's Response to Amicus Curiae Arizona Attorneys for Criminal Justice; Certificate of Service; Certificate of Compliance (Respondent State of Arizona)
22. 19-Feb-2026 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Nathan Andrews, Phililp Casey Grove)