

Arizona Supreme Court

Rule 28 Petition

R-24-0007

RULE 31.2 (a)(2)(A) OF CRIMINAL PROCEDURE

Appellate Case Information

Case Filed: 9-Jan-2024

Case Closed: 22-Aug-2024

Dept/Composition

Side 1. RULE 31.2 (a)(2)(A), RULE OF CRIMINAL PROCEDURE, Other

(Litigant Group) PETITIONER: DAVID J EUCHNER

- David J Euchner, Petitioner
AZ Bar No. 21768

(Litigant Group) COMMENTOR: THE MARICOPA COUNTY INDIGENT DEFENSE OFFICES

- Maricopa County Office of Public Defense Services, Commentor
- Mohave County Legal Advocate, Commentor
- Maricopa County Legal Defender's Office, Commentor
- Maricopa County Public Defender's Office, Commentor
- Maricopa County Office of the Public Advocate, Commentor

Attorneys for: Commentor

Rosemarie Pena-Lynch, Esq. (AZ Bar No. 23400)
 Steve B Koestner, Esq. (AZ Bar No. 11566)
 Sherri McGuire Lawson, Esq. (AZ Bar No. 13605)
 Gary M Kula, Esq. (AZ Bar No. 12507)
 Shannon L Burns, Esq. (AZ Bar No. 15976)

(Litigant Group) COMMENTOR: ARIZONA ATTORNEY GENERAL'S OFFICE

- Maricopa County Attorney's Office, Commentor

Attorneys for: Commentor

Kristin K Mayes, Esq. (AZ Bar No. 22584)
 Alice Jones, Esq. (AZ Bar No. 28062)

(Litigant Group) COMMENTOR: STATE BAR OF ARIZONA

- State Bar of Arizona, Commentor

Attorneys for: Commentor

Lisa M Panahi, Esq. (AZ Bar No. 23421)

CASE STATUS

Aug 22, 2024...Case Closed

Aug 22, 2024...Decision Rendered

CASE DECISION

22-Aug-2024 ORDER

* A petition having been filed proposing to amend Rule 31.2 of the Rules of Criminal Procedure, and comments having been received, upon consideration,

IT IS ORDERED that Rule 31.2(c)(1) of the Rules of Criminal Procedure is amended in accordance with t

Filed: 22-Aug-2024

Mandate:

Decision Disposition

Adopted

Ann Timmer

8 PROCEEDING ENTRIES

- 9-Jan-2024 FILED: Petition to Amend Arizona Rule of Criminal Procedure 31.2 (a)(2)(A) (Petitioner David J. Euchner)

Arizona Supreme Court

Rule 28 Petition

R-24-0007

RULE 31.2 (a)(2)(A) OF CRIMINAL PROCEDURE

8 PROCEEDING ENTRIES

2. 17-Jan-2024 Rule petitions have been filed in the above-captioned matters under Rule 28(a), Rules of the Supreme Court of Arizona. Upon consideration,
- IT IS ORDERED that these petitions are opened for public comment pursuant to Rule 28(c), Rules of the Supreme Court of Arizona. Comments must be submitted by no later than Wednesday, May 1, 2024, and any reply by a petitioner must be submitted no later than Monday, June 3, 2024.
- The petitions may be viewed by going to: <http://www.azcourts.gov/Rules-Forum>. This opens the "Welcome" page. Petitions are posted under the appropriate body of rules, for example, Rules of Criminal Procedure, which is found by scrolling down the page.
- For instructions on how to post comments electronically, follow the steps listed above and click on <http://www.azcourts.gov/rules/Forum-FAQ> at the top of the "Forum FAQ" page and then "How do I file a comment on a Rule 28 petition?"
- Alternatively, commenters may submit comments by filing an original and one paper copy of the comment and one electronic copy of the written comments and supporting documents in Microsoft Word format on a CD or other compatible electronic medium with the Clerk of the Supreme Court, 1501 West Washington St., Room 402, Phoenix, AZ 85007 in an envelope marked "Rule Comment."
- Any person filing a comment must send a copy of the comment to the Petitioner electronically or by ordinary mail. (Hon. John R. Lopez IV)
3. 29-Apr-2024 FILED: Joint Comment by the Directors of the Maricopa County Indigent Defense Agencies (The Maricopa Indigent Defense Offices by Rosemarie Pena-Lynch, Steve Koestner, Sherri McGuire Lawson, Gary Kula, Shannon Burns)
4. 30-Apr-2024 FILED: Comment Regarding Petition to Amend Rule 31.2(a)(2)(A) of the Arizona Rules of Criminal Procedure (Arizona Attorney General's Office by Kristin Mayes, Arizona Attorney General, Alice Jones, Deputy Solicitor General/Chief Counsel Criminal Appeals Section)
5. 1-May-2024 FILED: State Bar of Arizona Comment (State Bar of Arizona by Lisa M. Panahi, General Counsel)
6. 3-Jun-2024 FILED: Reply to Comments on Petition to Amend Arizona Rules of Criminal Procedure 31.2(a)(2)(A) (Petitioner David J. Euchner)
7. 20-Aug-2024 **WOULD AMEND RULE 31.2(a)(2)(A) OF THE RULES OF CRIMINAL PROCEDURE TO PROVIDE THAT A NOTICE OF APPEAL OF A CONVICTION AND SENTENCE INCLUDES ALL APPEALABLE RULINGS IN THE CASE THAT ARE ENTERED BEFORE THE IMPOSITION OF SENTENCE**
- ORDERED: Petition to Amend Arizona Rule of Criminal Procedure 31.2 (a)(2)(A) = ADOPTED as modified, effective January 1, 2025.
8. 22-Aug-2024 A petition having been filed proposing to amend Rule 31.2 of the Rules of Criminal Procedure, and comments having been received, upon consideration,
- IT IS ORDERED that Rule 31.2(c)(1) of the Rules of Criminal Procedure is amended in accordance with the attachment to this order, effective January 1, 2025. (Hon. Ann A. Scott Timmer)