

Arizona Supreme Court

Rule 28 Petition

R-25-0010

RULE 19.1, RULES OF CRIMINAL PROCEDURE

Appellate Case Information

Case Filed: 9-Jan-2025

Case Closed:

Dept/Composition

Side 1. RULE 19.1, RULES OF CRIMINAL PROCEDURE, Other

(Litigant Group) PETITIONER: KEVIN M. MORROW

- Kevin M Morrow, Petitioner PRO SE
AZ Bar No. 34697
[Current Member]
Admitted 10/19/18

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

- Maricopa County Office of Public Defense Services, Commentor Attorneys for: Commentor
Maricopa County Office of the Legal Advocate, Commentor Rosemarie Pena-Lynch, Esq. (AZ Bar No. 23400)
Maricopa County Legal Defender's Office, Commentor Steve B Koestner, Esq. (AZ Bar No. 11566)
Maricopa County Public Defender's Office Sherri McGuire Lawson, Esq. (AZ Bar No. 13605)
Maricopa County Office of the Public Advocate, Commentor Gary M Kula, Esq. (AZ Bar No. 12507)
Shannon L Burns, Esq. (AZ Bar No. 15976)
Lina G Garcia, Esq. (AZ Bar No. 25997)

(Litigant Group) COMMENTOR: STATE BAR OF ARIZONA

- State Bar of Arizona, Commentor Attorneys for: Commentor
Lisa M Panahi, Esq. (AZ Bar No. 23421)

(Litigant Group) COMMENTOR: CAPITAL CASE OVERSIGHT COMMITTEE

- Hon Ronald S Reinstein, Capital Case Oversight Committee, Commentor

(Litigant Group) COMMENTOR: MARICOPA COUNTY PUBLIC DEFENDER'S OFFICE

- Maricopa County Public Defender's Office, Commentor Attorneys for: Commentor
Lina G Garcia, Esq. (AZ Bar No. 25997)

CASE STATUS

Aug 28, 2025...Continued Jan 9, 2025.....Pending

12 PROCEEDING ENTRIES

- 1. 9-Jan-2025 FILED: Petition to Amend Rule 19.1, Arizona Rules of Criminal Procedure; Appendix C (Petitioner Kevin M. Morrow)
2. 21-Jan-2025 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 Thursday, May 1, 2025, and any reply by a petitioner must be submitted no later than Monday, June 2, 2025. Note that R-24-0005 is being reopened for public comment on the petitioner's second amended petition, filed January 3, 2025.
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, the Rules of Criminal Procedure can be 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. 1-May-2025 FILED: Joint Comment by the Directors of the Maricopa County Indigent Defense Agencies; Exhibit A; Exhibit B, Exhibit C (The Maricopa Indigent Defense Offices by Rosemarie Pena-Lynch, Steve Koestner, Sherri McGuire Lawson, Gary Kula, Shannon Burns and Lina Garcia)

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4. 1-May-2025 FILED: State Bar of Arizona Comment (State Bar of Arizona by Lisa M. Panahi, General Counsel)
5. 8-May-2025 FILED: Comment and Motion to permit late filing (Capital Case Oversight Committee by Hon. Ronald Reinstein, Ret., Chair)
6. 8-May-2025 On May 8, 2025, retired Superior Court Judge Ronald Reinstein filed a comment on this rule petition, along with a Motion to Permit Late Filing. Having considered the motion,

IT IS ORDERED granting the Motion to Permit Late Filing.

IT IS FURTHER ORDERED that the petitioner's deadline for filing a reply to comments to this rule petition is extended from June 2, 2025, to June 9, 2025. (Hon. Ann A. Scott Timmer)
7. 3-Jun-2025 FILED: Petitioner's Reply to Comments (Petitioner Kevin M. Morrow Esq.)
8. 22-Jul-2025 FILED: Petition
9. 28-Aug-2025 WOULD AMEND RULE 19.1 OF THE RULES OF CRIMINAL PROCEDURE TO ADOPT A NEW SUBPART SETTING FORTH THE PROCEDURES APPLICABLE TO THE PENALTY PHASE OF A CAPITAL CASE IF IT IS NOT IMMEDIATELY PROCEEDED BY A GUILT AND AGGRAVATION PHASE

ORDERED: Petition to Amend Rule 19.1, Arizona Rules of Criminal Procedure = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: The rule petition's proposed amendments will be referred to the Capital Case Oversight Committee for further review and for a recommendation to this Court.
10. 26-Nov-2025 WOULD AMEND RULE 19.1 OF THE RULES OF CRIMINAL PROCEDURE TO ADOPT A NEW SUBPART SETTING FORTH THE PROCEDURES APPLICABLE TO THE PENALTY PHASE OF A CAPITAL CASE IF IT IS NOT IMMEDIATELY PROCEEDED BY A GUILT AND AGGRAVATION PHASE

ORDERED: Petition to Amend Rule 19.1, Arizona Rules of Criminal Procedure = CONTINUED until the August 2026 Rules Agenda.

FURTHER ORDERED: The proposed amendments as modified are opened for public comment, with all comments due no later than May 1, 2026.
11. 30-Apr-2026 FILED: Status Report from the Capital Case Oversight Committee and Request to Defer Consideration (Capital Case Oversight Committee by Hon. Ronald Reinstein, Ret., Chair)
12. 1-May-2026 FILED: Comment by the Maricopa County Public Defender (Maricopa County Public Defender's Office by Lina G. Garcia, Director)