

Arizona Supreme Court

Rule 28 Petition

R-26-0007

RULE 6.3, RULES OF CRIMINAL PROCEDURE

Appellate Case Information

Case Filed: 8-Jan-2026

Case Closed:

Dept/Composition

Side 1. RULE 6.3, RULES OF CRIMINAL PROCEDURE, Other

(Litigant Group) PETITIONERS: KEVIN HEADE AND PINAL COUNTY OFFICE OF PUBLIC DEFENSE SERVICES

- Kevin D Heade, Petitioner  
AZ Bar No. 29909

- Pinal County Public Defense Services, Petitioner

(Litigant Group) COMMENTOR: MICHELLE VILLANUEVA SKURA

- Michelle Villanueva Skura, Commentor  
AZ Bar No. 32998  
[Current Member]  
Admitted 6/1/16

(Litigant Group) COMMENTOR: ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE

- Arizona Attorneys for Criminal Justice, Commentor

Attorneys for: Commentor

Seth M Apfel, Esq. (AZ Bar No. 32225)

(Litigant Group) COMMENTOR: STATE BAR OF ARIZONA

- State Bar of Arizona, Commentor

Attorneys for: Commentor

Jessica Fotinos, Esq. (AZ Bar No. 19777)

(Litigant Group) COMMENTOR: ARIZONA STATE UNIVERSITY POST-CONVICTION CLINIC

- Sandra Day O'Connor College of Law Post-Conviction Clinic, Commentor

Attorneys for: Commentor

Randal Boyd McDonald, Esq. (AZ Bar No. 32008)

Robert Joseph Dormady, Esq. (AZ Bar No. 31755)

Andi Humphreys, Esq. (AZ Bar No. 37814)

CASE STATUS

Jan 8, 2026.....Pending

7 PROCEEDING ENTRIES

- 8-Jan-2026 FILED: Petition to Amend Ariz. R. Crim. P. 6.3 to Protect a Defendant's Post-Conviction Rights and Comply with Garza v. Idaho, 586 U.S. 232 (2019); Appendix A (Petitioner Kevin Heade, Training Director, Pinal County Public Defender and Pinal County Office of Public Defender Services)
- 22-Jan-2026 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 Friday, May 1, 2026, and any reply by a petitioner must be submitted no later than Monday, June 1, 2026.  
  
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 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)
- 2-Apr-2026 FILED: Comment to Petition to Amend Ariz. R. Crim. P. 6.3, Rules of Criminal Procedure (Michelle Villanueva Skura)
- 23-Apr-2026 FILED: Comment of Arizona Attorneys for Criminal Justice regarding Petition to Amend. R. Crim. P. 6.3 (Arizona Attorneys for Criminal Justice by Seth M. Apfel)
- 1-May-2026 FILED: State Bar of Arizona Comment (State Bar of Arizona by Jessica J. Fotinos, General Counsel)

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**7 PROCEEDING ENTRIES**

6. 4-May-2026 FILED: Comment (Sandra Day O'Connor College of Law Post-Conviction Clinic by Randal McDonald, Robert Dormady, Andi Humphreys)
7. 21-May-2026 FILED: Reply Re: Petition to Amend Ariz. R. Crim. P. 6.3 to Protect a Defendant's Post-Conviction Rights and Comply with Garza v. Idaho, 586 U.S. 232 (2019) (Petitioner Kevin Heade, Training Director, Pinal County Public Defender and Pinal County Office of Public Defender Services)