

Arizona Supreme Court

Rule 28 Petition

R-26-0027

RULE 28.1(b)(2)(A), RULES OF CRIMINAL PROCEDURE

Appellate Case Information

Case Filed: 28-Jan-2026

Case Closed:

Dept/Composition

Side 1. RULE 28.1(b)(2)(A), RULES OF CRIMINAL PROCEDURE, Other

(Litigant Group) PETITIONER: KATIA MEHU

- Katia Mehu, Petitioner  
AZ Bar No. 16992  
[Current Member]  
Admitted 4/10/97

(Litigant Group) COMMENTOR: STATE BAR OF ARIZONA

- State Bar of Arizona, Commentor

Attorneys for: Commentor

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

CASE STATUS

Jan 28, 2026....Pending

3 PROCEEDING ENTRIES

1. 28-Jan-2026 FILED: Petition under Rule 28, Rules of the Supreme Court (Expedited Consideration Requested) (Petitioner Katia Mehu)
2. 28-Jan-2026 On January 28, 2026, Katia Méhu filed a rule petition to abrogate Rule 28.1(b)(2)(A) of the Rules of Criminal Procedure, contending that the rule violates federal due process principles by permitting the premature destruction of criminal court records that may be potentially important in seeking federal post-conviction relief. Petitioner further requests that the petition be given expedited consideration under Rule 28(h)(1), Rules of the Supreme Court of Arizona, to permit this Court to consider the petition during its August 2026 Rules Agenda.  
  
Upon consideration,  
  
IT IS ORDERED granting the request to consider this petition on an expedited basis.  
  
IT IS FURTHER ORDERED that the Court will consider this petition during its August 2026 Rules Agenda.  
  
IT IS FURTHER ORDERED that this petition is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, with all comments due no later than June 1, 2026, and any reply due no later than June 15, 2026.  
  
The petition 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," which applies here, can be found by scrolling down the page.  
  
For instructions on how to post comments electronically, click on <https://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. Ann A. Scott Timmer)
3. 1-May-2026 FILED: State Bar of Arizona Comment (State Bar of Arizona by Jessica J. Fotinos, General Counsel)