

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,) Arizona Supreme Court
) No. CR-13-0282-AP
 Appellee,)
 v.) Maricopa County
) Superior Court
) No. CR2003-038541-001
 AARON BRIAN GUNCHES,)
) **FILED: 1/06/2023**
 Appellant.)
 _____)

O R D E R

Appellant Aaron Brian Gunches filed a "Motion: Issuance of Death Warrant" on November 25, 2022. Appellant's motion requested that the Court issue an "immediate death warrant. . . so his sentence of death may be carried out immediately."

On December 7, 2022, the Appellee State of Arizona filed a response to Appellant's motion "join[ing] in Gunches' motion." The State's response also included the "State's Motion for Warrant of Execution" that "mov[ed] this Court to issue a warrant of execution," citing A.R.S. § 13-759(A) and Ariz. R. Crim. P. 31.23(b).

On December 21, 2022, the Court entered an order setting a January 23, 2023, deadline for Appellant to file his reply to his motion for issuance of a death warrant and his response to the State's Motion for Warrant of Execution. The Court also indicated that it anticipated conferencing the motions on January 31, 2023.

On January 4, 2023, Appellant filed a "Motion: Withdraw from Issuance of Death Warrant (Expedited Judgment Requested)" ("Motion to Withdraw"). The Court notes that Appellant's Motion to Withdraw does

not include a specific response or objection to the State's Motion for Warrant of Execution.

Upon consideration by the full Court, and **GOOD CAUSE APPEARING,**

IT IS ORDERED that the request for expedited consideration is granted.

IT IS FURTHER ORDERED that the State shall file a response to Appellant's Motion to Withdraw. The response shall not exceed five pages and shall be filed on or before **January 12, 2023, no later than 5:00 p.m.**

IT IS FURTHER ORDERED that Appellant's response to the State's Motion for Warrant of Execution shall be filed with the Court on or before **January 23, 2023, no later than 5:00 p.m.** The response shall not exceed ten typed or fifteen handwritten pages. The response may include Appellant's reply to the State's response to Appellant's Motion to Withdraw.

IT IS FURTHER ORDERED that the State may file a reply to its Motion for Warrant of Execution on or before **January 30, 2023, no later than 12:00 p.m.** If the State opts to not file a reply, it shall file a notice so advising the Court at the earliest convenience after the filing and receipt of Appellant's response and before January 30, 2023.

Any further requests for extensions of time or expansion of page limits will not be granted absent highly extraordinary circumstances.

