

Mr. Gunches, appearing pro se with the assistance of advisory counsel,¹ files his Response to the State's Motion for Warrant of Execution and his Reply to the Response to his Motion to Withdraw. Mr. Gunches drafted his Response/Reply prior to receiving the State's Motion to Withdraw Motion for Warrant of Execution.² Although both Mr. Gunches' and the State's requests for execution warrants have been withdrawn, the below continues to represent Mr. Gunches' position on the matter.

Respectfully submitted this 23rd day of January, 2023 by:

s/ Emily Skinner

Emily Skinner

Advisory Counsel for Aaron Gunches

Aaron Gunches

Pro se

¹ Mr. Gunches is unable to transmit or receive confidential and privileged electronic messages with advisory counsel. He must provide her with his pleadings and instructions at legal visits, which are limited to Wednesdays by the prison's schedule, or through telephone calls, which must be scheduled in advance and are subject to the availability of prison staff. The type-written portion of this pleading was drafted by advisory counsel at the direction of Mr. Gunches.

² Mr. Gunches has not yet received a copy of the State's Motion, but is aware of its contents. He files this pleading today in order to comply with the Court's scheduling order.

AARON GUNCHES #145371
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ARIZONA SUPREME COURT

STATE OF ARIZONA,
APPELLEE,

VS.
AARON GUNCHES,
APPELLANT,

ARIZONA SUPREME COURT
No. CR-13-0282-AP

RESPONSE

APPELLANT AARON GUNCHES COMES BEFORE THIS COURT WITH HIS RESPONSE TO AGI MAYES POSITION TO APPELLANTS WITHDRAW MOTION (FROM ISSUANCE OF DEATH WARRANT).

RESPONSE

ON JANUARY 4, APPELLANT FILED HIS WITHDRAW MOTION. ON JANUARY 12, APPELLEE AGI MAYES RESPONDED FAVORABLY, "THE STATE HEREBY PROVIDES NOTICE THAT IT DOES NOT OBJECT TO APPELLANTS MOTION; WITHDRAW FROM ISSUANCE OF DEATH WARRANT." THIS SHOWS THE STATE IS PAUSING EXECUTIONS SO, NO WARRANT SHOULD BE ISSUED. ISSUING A WARRANT PUTTING AARON GUNCHES ON DEATH WATCH WOULD BE UNJUST.

APPELLANT THANKS AND APPRECIATES AGI MAYES FOR BEING RESPONSIBLE AND NOT WILLING TO ALLOW APPELLANT TO BE PRE-MATURELY PLACED ON, AND SUBJECTED TO, THE CRUEL AND UNUSUAL PUNISHMENT OF THE 35 DAY DEATH WATCH SCENARIO, OR ALLOW TORTURE TO TAKE PLACE UNDER THE CURRENT APC EXECUTION TEAM PRACTICES.

AARON GUNCHES URGES AGI MAYES, AS WELL AS AZ GOVERNOR HOBBS, TO CHANGE THE EXISTING APC EXECUTION PROTOCOLS, WHICH WERE ENACTED IN EARLY 2017 BEFORE DEATH ROW WAS ALLOWED OUT OF THE UNCONSTITUTIONAL

ENVIRONMENT OF THE SUPER MAXIMUM SECURITY (LEVEL 5+ SECURITY) FACILITY OF BROWNING UNIT, AND PLACED IN THE LOWER SECURITY STATUS OF CLOSE CUSTODY (LEVEL 4 SECURITY) POPULATION. THE DEATH PENALTY IS THE LAW OF ARIZONA AND SAFEGUARDS NEED TO BE INSTALLED NOW TO PREVENT WANTON CRUEL AND UNUSUAL PUNISHMENT THAT HAS ROUTINELY TAKEN PLACE IN ADC. IF A CONDEMNED INMATE HAS EXHAUSTED HIS APPEALS, THAT HAS NO MENTAL HEALTH CAUTIONS, NO SUICIDAL HISTORY, NO DISCIPLINARY HISTORY, AND THROUGH GOOD BEHAVIOR WAS CONTINUED TO RESIDE AT THE SIGNIFICANTLY LOWER SECURITY STATUS OF CLOSE CUSTODY, THEN PLACING HIM IN SUPER MAXIMUM DISCIPLINARY FACILITY FOR A 35 DAY DEATH WATCH PERIOD IS, UNJUST. THEN TO SUBJECT HIM TO SURGERY BEFORE EXECUTION IS CRUEL AND UNUSUAL PUNISHMENT. SAFEGUARDS NEED TO BE ASSURED NOW, SO THOSE PRACTICES CANNOT BE CONTINUED.

RESPECTFULLY SUBMITTED, JANUARY 19, 2023

Amelio

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ARIZONA SUPREME COURT

STATE OF ARIZONA,
APPELLEE,
VS.
AARON GRUNCHES,
APPELLANT,

ARIZONA SUPREME COURT
NO. CR-13-0282-AP

REPLY / RESPONSE

APPELLANT AARON GRUNCHES COMES BEFORE THIS COURT OFFERING HIS REPLY / RESPONSE TO FORMER AGI BRANOVICH'S POSITION IN REGARDS TO APPELLANT'S ISSUANCE MOTION (FOR DEATH WARRANT), AS WELL AS TO THE FORMER AGI'S ADDED MOTION, WARRANT FOR EXECUTION.

REPLY / RESPONSE

ON DECEMBER 7, OUTGOING AGI BRANOVICH, WHILE KNOWING OF AGI-ELECT MAYES' STATED GOALS: "EXECUTIONS WILL BE PAUSED, UNTIL THEY CAN BE DONE IN A CORRECT AND LEGAL MANNER," HAD DISREGARDED HER STATEMENTS AND FILED HIS RESPONSE TO APPELLANT'S ISSUANCE MOTION "JOINING IN GRUNCHES' MOTION" THE REQUESTING FOR "WARRANT FOR EXECUTION." APPELLANT AARON GRUNCHES OPPOSES OUTGOING AGI BRANOVICH'S FILING DUE TO THE FACT THAT HIS TENURE AS AGI WAS ENDING IN JUST 3 WEEKS TIME AND HE WOULD NOT BE IN OFFICE TO SEE HIS MOTIONS CARRIED OUT, AS WELL AS THEY BEING CONTRARY TO INCOMING AGI MAYES' INTENTIONS. THIS WAS A POLITICAL STUNT, DESIGNED TO CREATE PROBLEMS FOR INCOMING AGI MAYES AND FRANKLY, TARNISHES THE DIGNITY OF THE ATTORNEY GENERAL OFFICE, BY THE ACT.

AARON GRUNCHES PUT FORTH HIS ISSUANCE MOTION IN GOOD FAITH AND, ONLY AFTER HIS FILING, LEARNED OF INCOMING AGI MAYES' PLANS OF PAUSING EXECUTIONS, AS WELL AS DISCOVERING THAT NOT BEING TORTURED BY THE APC

EXECUTION TEAM IS IN FACT NOW A OPTION. ADC HAS WILLINGLY ENGAGED IN TORTURE, NOT ONLY THE CRUEL AND UNUSUAL PUNISHMENT OF THE 35 DAY DEATH WATCH PROTOCOL, BUT OF HAVING COMMON CORRECTIONS OFFICERS WITH NO MEDICAL TRAINING PERFORM SURGERY (FEMORAL ARTERY "CUT-DOWN" SURGERY) ON THE INMATES BEFORE EXECUTION. ALL OF THIS WITH FORMER ADC DIRECTOR SHINN, FORMER AG BRANDVICH, AND FORMER AZ GOVERNOR DUCEY'S BLESSINGS AND PROTECTIONS. THIS IS STATE SANCTIONED TORTURE. FOR THOSE REASONS, APPELLANT FILED HIS WITHDRAW MOTION.

WITH THAT, APPELLANT ARROW GIUNCHES REQUESTS THE AZ SUPREME COURT TO VACATE FORMER AG BRANDVICH' MOTIONS, AND PUT THE ODDS ON CURRENT AG MAYES.

RESPECTFULLY SUBMITTED, JANUARY 18, 2023.

