

SUPREME COURT OF ARIZONA

STATE OF ARIZONA, ) Arizona Supreme Court  
 ) No. CR-13-0282-AP  
 Appellee, )  
 ) Maricopa County  
 v. ) Superior Court  
 ) No. CR2003-038541-001  
 AARON BRIAN GUNCHES, )  
 ) **FILED 2/17/2023**  
 Appellant. )  
 )  
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**O R D E R**

On February 8, 2023, on motion by the Maricopa County Attorney's Office to appear as *amicus curiae*, the Court granted the motion and ordered that the *amicus curiae* brief shall be filed simultaneously with the supplemental briefs of the Appellee, Gunches, and the Crime Victim, on or before February 16, 2023, and shall not exceed fifteen pages.

On February 16, 2023, American Civil Liberties Union and American Civil Liberties Union of Arizona filed its "Motion of American Civil Liberties Union and American Civil Liberties Union of Arizona for Leave to File Brief as *Amici Curiae*" (Amicus Curiae ACLU and ACLUAZ) and its brief of *amicus curiae*.

Upon consideration,

**IT IS ORDERED** the "Motion of American Civil Liberties Union and American Civil Liberties Union of Arizona for Leave to File Brief as *Amici Curiae*" filed on February 16, 2023, is denied.

**IT IS FURTHER ORDERED** the Brief of *Amici Curiae* American Civil

Liberties Union and American Civil Liberties Union of Arizona filed on February 16, 2023, is stricken.

**IT IS FURTHER ORDERED** that American Civil Liberties Union and American Civil Liberties Union of Arizona may refile a motion for leave to file brief as *amici curiae* and a brief of *amici curiae* that complies with the **fifteen-page limit** set by the Court in its February 8, 2023, order, **on or before 12:00 p.m. on February 21, 2023**. See Ariz. R. Crim. P. 31.15(d)(2) (stating, "Amicus curiae briefs must not exceed the . . . page limitation imposed for the parties' supplemental briefs.").

**IT IS FURTHER ORDERED** pursuant to Ariz. R. Crim. P. 31.13(a)(7), 31.15(d), and 31.19(b), that the Appellee (represented by the Office of the Attorney General of Arizona), the Appellant, and the Crime Victim may each file **a single response** to the briefs of *amici curiae* **on or before 3:00 p.m. on February 23, 2023**. Each parties' response to *amici curiae* **shall not to exceed twenty pages**.

Any requests for extension of time or expansion of page limits will not be granted absent extremely extraordinary circumstances.

**IT IS FURTHER ORDERED** that in addition to filing with the Clerk of the Supreme Court (with filing and service through AZTurboCourt) Gunches' advisory counsel, the State, the Crime Victim, and the MCAO as amicus curiae shall send all filings by email to Court staff simultaneously to filing with the Clerk of the Court (instructions

