

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 3/02/2023**
 Appellant.)
 _____)

WARRANT OF EXECUTION

This Court heard and considered the appeal in the above-entitled cause on April 21, 2016, and on September 1, 2016, affirmed the judgment of the Superior Court in Maricopa County, State of Arizona, and filed its OPINION, which remains in effect and has not been affected by any subsequent decision of this or any other Court.

On May 23, 2018, Appellant filed a "Waiver of State Collateral Review (Post-Conviction Relief)" seeking to voluntarily waive his right to post-conviction relief proceedings. On June 4, 2018, the superior court found Appellant competent to waive his right to post-conviction review pursuant to Ariz. R. Crim. P. 32. The superior court further found that Appellant knowingly, intelligently, and voluntarily waived his right to post-conviction review pursuant to Ariz. R. Crim. P. 32, and that there was no basis upon which to deny Appellant's request. Therefore, the superior court granted Appellant's request to waive post-conviction relief proceedings pursuant to Ariz. R. Crim. P. 32. Appellant did not file a petition for review in this Court pursuant to Ariz. R. Crim. P. 32.16.

On December 7, 2022, the Appellee State of Arizona, filed a "Motion for Warrant of Execution," moving this Court to issue a

Warrant of Execution, which motion was granted by this Court on March 2, 2023.

Therefore, pursuant to A.R.S. § 13-759 and Ariz. R. Crim. P. 31.23,

IT IS ORDERED pursuant to A.R.S. § 13-759(A) and Ariz. R. Crim. P. 31.23(c)(1), fixing Thursday, the 6th day of April, 2023, as the date for commencement of the execution time period when the judgment and sentence of death pronounced upon AARON BRIAN GUNCHES by the Superior Court in Maricopa County shall, pursuant to A.R.S. § 13-757(A), be executed by administering to AARON BRIAN GUNCHES by intravenous injection a substance or substances in a quantity sufficient to cause death.

IT IS FURTHER ORDERED that the Clerk of this Court shall prepare and certify a true and correct copy of this Warrant and shall cause the same to be delivered to the Director of the Department of Corrections and the Superintendent or Warden of the State Prison, at Florence, Arizona, and the same shall be sufficient authority to them, pursuant to A.R.S. § 13-759(A) and Ariz. R. Crim. P. 31.23(c)(4), for the execution of AARON BRIAN GUNCHES.

IT IS FURTHER ORDERED pursuant to Ariz. R. Crim. P. 31.23(c)(2) that this Warrant is valid for twenty-four (24) hours beginning at an hour to be designated by the Director of the Arizona Department of Corrections, Rehabilitation and Reentry ("ADCRR" or "Department of Corrections"), with written notice of the designated hour to be given to the Supreme Court and parties at least twenty (20) calendar days

