

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 4/3/2023**
 Appellant.)
 _____)

O R D E R

On March 31, 2023, Crime Victim Karen Price and Maricopa County Attorney Rachel H. Mitchell on behalf of Crime Victim Brittney Kay, filed a *Motion to Extend Warrant of Execution* requesting that this Court extend the Warrant of Execution the Court issued on March 2, 2023, stating it "shall be sufficient authority to [the Director of the Department of Corrections and the Superintendent or Warden of the State Prison], pursuant to A.R.S. § 13-759(A) and Ariz. R. Crim. P. 31.23(c)(4), for the execution of AARON BRIAN GUNCHES" on April 6, 2023.

The *Motion to Extend Warrant of Execution* requests that the Court extend the date of execution twenty-five days to May 1, 2023, pursuant to A.R.S. § 13-4437(A) and (C) and Ariz. R. Crim. P. 31.23(c).

Upon consideration by the Court, and GOOD CAUSE APPEARING,

IT IS ORDERED that the Court will consider the *Motion to Extend Warrant of Execution* following expedited briefing, as follows:

The parties and any *amicus curiae* shall file briefs addressing the merits of the *Motion to Extend Warrant of Execution* and the source and extent of the Court's authority in these circumstances to issue such order.

IT IS FURTHER ORDERED due to the exigency of the circumstances, the briefs shall be simultaneously filed, as follows:

The Crime Victim Karen Price and Maricopa County Attorney Rachel H. Mitchell on behalf of Crime Victim Brittney Kay shall file a joint brief not to exceed twenty pages on or before Tuesday, April 4, 2023, no later than 12:00 p.m.

Appellee shall file a brief not to exceed twenty pages on or before Tuesday, April 4, 2023, no later than 12:00 p.m.

Appellant Gunches, through advisory counsel Emily Skinner, may file a brief not to exceed twenty pages on or before Tuesday, April 4, 2023, no later than 5:00 p.m.

Any *amicus curiae* may file briefs that shall not exceed twenty pages and shall be filed on or before Tuesday, April 4, 2023, no later than 12:00 p.m.

Crime Victim Karen Price and Maricopa County Attorney Rachel H. Mitchell on behalf of Crime Victim Brittney Kay may file a joint *omnibus* response to any briefs of *amicus curiae* not to exceed twenty pages on or before Tuesday, April 4, 2023, no later than 11:59 p.m.

Appellee may file an *omnibus* response to any briefs of *amicus curiae* not to exceed twenty pages on or before Tuesday, April 4, 2023, no later than 11:59 p.m.

Appellant Gunches may file an *omnibus* response, through advisory counsel, to any briefs of *amicus curiae* not to exceed twenty pages on or before Tuesday, April 4, 2023, no later than 11:59 p.m.

If either Crime Victim Karen Price and Maricopa County Attorney Rachel H. Mitchell on behalf of Crime Victim Brittney Kay, Appellee, or Appellant opt to not file an *omnibus* response to briefs of *amicus curiae*, they shall so notify the Court by emailing Court staff at the earliest opportunity after any briefs of *amicus curiae* are filed and delivered.

IT IS FURTHER ORDERED that ADCRR shall make necessary arrangements, within required security protocols, for Inmate Aaron Brian Gunches, ADCRR #145371 to meet with his advisory counsel, Ms. Emily Skinner, on Monday, April 3, 2023, or alternatively on Tuesday, April 4, 2023, before 12:00 p.m., for a legal visit either in-person or via telephone, Ms. Skinner's preference, for up to three hours, to allow Mr. Gunches to meet the Court's above deadlines.

TO:

Colleen Clase

Rachel H Mitchell

Nicholas Klingerman

Emily Skinner

Aaron Brian Gunches, ADOC 145371, Arizona State Prison, Florence -
Eymann Complex-Rynning

Kristin K. Mayes

Alexander W Samuels

Jeffrey L Sparks

John Pressley Todd

David J Euchner

Charlotte G Merrill

Jared G Keenan

Josh Spears

Brad K Keogh

Sambo Dul

Noah Gabrielsen

Joshua D. Bendor

Philip Casey Grove

Kevin D Heade

Brett William Johnson

Colin P Ahler

Tracy Olson

Rusty D Crandell

Linley Wilson

Jon M Sands

Cary S Sandman

Amy Armstrong

Therese Day

Jason Lewis

Alberto Rodriguez