

# ARIZONA SUPREME COURT

STATE OF ARIZONA,

Appellee,

v.

AARON BRIAN GUNCHES,

Appellant.

CR–13–0282–AP

Maricopa County Superior Court

No. CR 2003–038541–001

**REPLY RE: MOTION TO SET  
BRIEFING SCHEDULE FOR  
MOTION FOR WARRANT OF  
EXECUTION**

In his response to the State’s Motion to Set Briefing Schedule for Motion for Warrant of Execution, Appellant Aaron Brian Gunches does not object to the State’s ultimate intent—to obtain a warrant of execution. Although Gunches questions the necessity of the briefing schedule procedure and requests immediate issuance of the warrant, the State explained in its original Motion that a briefing schedule is important to ensure ADCRR can meet all execution-related requirements such as disclosure and testing obligations regarding the compounded pentobarbital that will be used. For example, the briefing schedule process allowed ADCRR to meet these obligations for the three executions carried out in 2022, all of which likewise used compounded pentobarbital. Therefore, for the reasons previously stated, the State respectfully requests that this Court set a briefing schedule for the State’s Motion for Warrant of Execution.

DATED this 2nd day of January, 2025.

Respectfully submitted,

Kristin K. Mayes  
Attorney General  
(Firm State Bar No. 14000)

s/ Jason D. Lewis  
Deputy Solicitor General/  
Section Chief of Capital Litigation  
State Bar Number 032461  
Jeffrey L. Sparks  
Senior Litigation Counsel  
State Bar Number 027536  
2005 N. Central Avenue  
Phoenix, Arizona 85004  
CLDocket@azag.gov  
Telephone: (602) 542-4686  
Attorneys for Appellee