

# **APPENDIX A**

# ARIZONA SUPREME COURT

STATE OF ARIZONA,  
PLAINTIFF,

VS.

AARON GUNCHES,  
DEFENDANT,

AZ SUPREME COURT

No. CR-13-0282-AP

MOTION: CONTINUENCE.

COURT-ORDER FOR  
APPEARANCE.

AARON GUNCHES ("GUNCHES"), REAL PARTY OF INTEREST/DEFENDANT,  
APPEARING BEFORE THE AZ SUPREME COURT ASKS THE FOLLOWING BE GRANTED:

## BACKGROUND

IN JUNE 2023, DIRECTOR APPOINTEE THORNELL AT THE ARIZONA DEPARTMENT OF CORRECTION REHABILITATION AND REENTRY ("ADCRR") CONFIRMATION HEARING VOLUNTEERED HOW THE DEATH PENALTY IS THE LAW IN ARIZONA AND HOW HE WILL CARRY-OUT HIS DUTIES AS DIRECTOR IF ORDERED TO DO SO, AND THAT ADCRR HAS BEEN READY SINCE MAY 2023 TO PROCEED WITH A EXECUTION. IN MAY 2024, ATTORNEY GENERAL MAYES ("AG") OFFERED HER STATEMENT THAT SHE WILL BE ISSUING DEATH WARRANTS IN THE 1ST QUARTER OF 2025, IF ADCRR IS PREPARED TO CARRY-OUT ITS DUTIES FOR EXECUTION. IN JUNE 2024, MARICOPA COUNTY ATTORNEY MITCHELL ("CA") FILED WITH THIS COURT HER MOTION FOR EXECUTION WARRANT FOR GUNCHES, FOLLOWED SOONAFTER WAS AG MAYES MOTION TO STRIKE, BRIEFING SCHEDULE WAS SET.

GIUNCHES BELIEVES BOTH CA MITCHELL' MOTION TO ISSUE GIUNCHES' DEATH WARRANT AND AG MAYES' MOTION TO STRIKE SAID MOTION, TO BE PREMATURE UNTIL ALL PARTIES CONCERNED CAN DEFINITELY KNOW WHETHER ADCRR' DIRECTOR THORNELL'S CONFIRMATION HEARING STATEMENT STILL APPLY. AS AG MAYES MOTION TO STRIKE (p. 18, LINES 7-8) STATE, "UP-TO-DATE INFORMATION FROM ADCRR IS CRITICAL."

WITH THAT, GIUNCHES ASKS THE AZ SUPREME COURT TO ORDER CONTINUENCES FOR CA MITCHELL' AND AG MAYES' FILINGS, AND SET BRIEFING FOR ADCRR DIRECTOR THORNELL TO APPEAR BEFORE THIS COURT TO PROVIDE THE CRITICAL UP-TO-DATE INFORMATION ON ADCRR'S ABILITY TO CARRY-OUT GIUNCHES' EXECUTION. UNTIL THAT HAPPENS, CA MITCHELL' AND AG MAYES' MOTIONS ARE POINTLESS, AND SHOULD BE DELAYED UNTIL ALL THE FACTS ARE KNOWN.

RESPECTFULLY SUBMITTED JULY 18, 2024.

*Giunches*