

SUPREME COURT OF ARIZONA

STATE OF ARIZONA, ) Arizona Supreme Court  
 ) No. CR-04-0405-AP  
 Appellee, )  
 ) Maricopa County  
 v. ) Superior Court  
 ) No. CR2003-005315  
 LEROY DEAN MCGILL, )  
 )  
 Appellant. ) **FILED 01/16/2026**  
 )  
 )  
 \_\_\_\_\_ )

**O R D E R**

On December 12, 2025, the Appellee State of Arizona filed a *Motion to Set Briefing Schedule for Motion for Warrant of Execution* with an attached exhibit. The Appellant Leroy Dean McGill filed a *Response to State's Motion for Briefing Schedule* on December 29, 2025. The Appellee filed its *Reply Re: Motion to Set Briefing Schedule for Motion for Warrant of Execution* on December 30, 2025.

Upon consideration by the Court,<sup>1</sup> and good cause appearing,

**IT IS ORDERED** that the *Motion to Set Briefing Schedule for Motion for Warrant of Execution* is granted.

**IT IS FURTHER ORDERED** based on the Appellee's and Appellant's stated positions, the Victims' position as conveyed to the Court by the State, and the Court's calendar, that Appellee shall file its motion for warrant of execution **no later than 12:00 p.m. on March 6,**

---

<sup>1</sup> Vice Chief Justice John R. Lopez IV and Justice James P. Beene are recused and did not participate in the Court's consideration of this matter.

**2026.** The Appellant shall file his response **no later than 12:00 p.m. on March 20, 2026.** Appellee's reply, if any, shall be filed **no later than 12:00 p.m. on March 24, 2026.** The response and reply shall not exceed 2,300 words. Appellee may advise Court staff on March 20, 2026, whether it intends to file a reply.

Any requests for extensions of time or expansion of word limits will not be entertained. The response (and reply, if any) should identify any litigation in state or federal court in which Appellant is a party which concerns the conviction and sentence in this case and address the status of that litigation.

A response to the State's motion for warrant of execution is not an appropriate vehicle to challenge the Appellant's conviction or death sentence. Rather, such claims are appropriately raised in the superior court pursuant to Ariz. R. Crim. P. 32.

**IT IS FURTHER ORDERED** that the Arizona Department of Corrections, Rehabilitation, and Reentry ("ADCRR") shall make necessary arrangements, to the extent logistically feasible within required security protocols, for Inmate Leroy Dean McGill, ADCRR #058962, to meet with his counsel, Jennifer Y. Garcia, for a legal visit, either in-person or via telephone—Ms. Garcia's preference—for up to 3 hours, to allow Appellant to meet the Court's above deadline.

**IT IS FURTHER ORDERED** that in addition to and upon filing with the Clerk of Court (with filing and service through AZTurboCourt), all filings are also to be sent by email to all parties and court

staff (instructions will be provided for sending copies via email to the appropriate court staff).

The Court anticipates a conference date of March 26, 2026, with issuance of a Warrant of Execution to follow in due course, if the motion is granted.

DATED this 16th day of January 2026.

\_\_\_\_\_  
/s/  
ANN A. SCOTT TIMMER  
Chief Justice

TO:

Leroy Dean McGill, ADOC 058962, Arizona State Prison, Tucson - Rincon  
Therese Day  
Jennifer Y Garcia  
Jason Lewis  
Jeffrey L Sparks  
Hon Jennifer E Green  
Hon Casey F McGinley  
Hon Steven J Fuller  
Amy Armstrong  
Sam Kooistra  
Erin Bennett  
Geoffrey P Butzine  
Hon Joseph Malka