

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.	)	<b>FILED 04/30/2026</b>
	)	
	)	

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**O R D E R**

On April 20, 2026, Appellant Leroy Dean McGill filed a *Motion to Stay Execution* on the grounds that his successive petition for post-conviction relief, filed March 31, 2026, contains claims not precluded under Ariz. R. Crim. P. 32.2. The State filed its response on April 23, 2026. McGill filed his reply on April 28, 2026.

Upon consideration by the Court\* and good cause appearing,

**THE COURT FINDS** that a stay is premature because the superior court has not yet conducted its initial review under Rule 32.11(a). Until the superior court reviews the claims in McGill’s successive petition for post-conviction relief for preclusion, timeliness, and colorability under Rule 32.11(a), this Court will not independently assess whether any claim warrants further proceedings that cannot be completed before May 20, 2026.

Therefore,

**IT IS ORDERED** that McGill’s *Motion to Stay Execution* is denied without prejudice to McGill filing a subsequent application for stay of execution under Rule 32.18.



TO:

Leroy Dean McGill, ADOC 058962, Arizona State Prison, Tucson - Rincon  
Unit

Jennifer Y Garcia

Charlotte G Merrill

Jason Lewis

Jeffrey L Sparks

Hon Jennifer E Green

Hon Steven J Fuller

Hon Casey F McGinley

Hon Nancy Rodriguez

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Amy Armstrong

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