



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**STATE OF ARIZONA v. ABEL DANIEL HIDALGO
CR-15-0049-AP**

PARTIES:

Appellant: Abel Daniel Hidalgo

Appellee: State of Arizona

FACTS:

In December 2000, a gang member offered Hidalgo \$1,000 if he would murder Michael Cordova, the owner of an auto-body shop in Phoenix. Although Hidalgo did not know Cordova or the reason the gang member wanted him murdered, Hidalgo agreed to kill him. On the morning of January 3, 2001, Hidalgo waited outside the auto-body shop for Cordova to arrive. As Cordova unlocked the shop, Jose Rojas – an upholsterer who occasionally worked for Cordova – arrived and entered the shop with Cordova. Hidalgo followed behind. Once inside, Hidalgo fatally shot Rojas in the back of the head. He then cornered Cordova and fatally shot him in the forehead. After fleeing the auto-body shop, Hidalgo immediately told a relative that he murdered two men. His relative's wife eventually informed the police about Hidalgo's actions. When the Phoenix Police Department subsequently interviewed Hidalgo, he confessed to murdering Cordova in exchange for \$1,000 and to killing Rojas because he did not want any witnesses. The State of Arizona charged Hidalgo with two counts of first degree murder and one count of first degree burglary. Hidalgo pleaded guilty to all three offenses. A jury sentenced Hidalgo to death for both murders. The Court has jurisdiction for this automatic appeal under article 6, section 5(3) of the Arizona Constitution and A.R.S. § 13-4031.

ISSUES:

1. Whether the trial court erred by failing to hold an evidentiary hearing regarding the constitutionality of Arizona's death penalty statutes?
2. Whether the prosecutor's argument during the penalty phase violated the U.S. and Arizona Constitutions?
3. Whether the trial court erred when it revoked Hidalgo's pro per status?
4. Whether the trial court erred by failing to hold an evidentiary hearing before denying Hidalgo's request for new counsel?

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