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7 **IN THE SUPREME COURT**
8 **STATE OF ARIZONA**

9 In the Matter of:

10 **PETITION TO AMEND RULE**
11 **31.23 OF THE ARIZONA RULES**
12 **OF CRIMINAL PROCEDURE**

Supreme Court No. R-25-0016

STATE BAR OF ARIZONA
COMMENT

13 Pursuant to Rule 28(e) of the Arizona Rules of Supreme Court, the State Bar
14 of Arizona (the “State Bar”) hereby submits the following as its comment to the
15 above-captioned Petition.

16 This Petition seeks to amend Rule 31.23 of the Arizona Rules of Criminal
17 Procedure to establish a briefing schedule regarding the State’s request for a warrant
18 of execution in a capital case. The State Bar’s Criminal Practice and Procedure
19 Committee reviewed this Petition and proposed that the State Bar take no position
20 on the proposed amendments, and instead, recommend that the Court forward this
21 Petition for review to the Court’s Capital Case Oversight Committee. The
22 Committee believes the Court’s Capital Oversight Committee is better suited to
23 opine on amendments to the rule.
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25

1 **CONCLUSION**

2 The State Bar of Arizona respectfully requests that the Court forward this
3 Petition to its Capital Case Oversight Committee for further study and comment.
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5 RESPECTFULLY SUBMITTED this 1st day of May 2025.

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8 Lisa M. Panahi
9 FOR THE STATE BAR OF ARIZONA

10 Electronic copy filed with the
11 Clerk of the Supreme Court of Arizona
12 this 1st day of May 2025.

13 by: PSequin
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