



PETITIONER'S GUIDE FOR SELF-REPRESENTED LITIGANTS

PETITION FOR REVIEW
POST-CONVICTION

ARIZONA COURT OF APPEALS

Division One
1501 W. Washington, Suite 203
Phoenix, AZ 85007
602-452-6700
azcourts.gov/coa1

WHAT'S IN THIS GUIDE?

PETITION FOR REVIEW POST-CONVICTION

WELCOME

COMMUNICATING WITH THE COURT **PAGE 1**

FREQUENTLY ASKED QUESTIONS (FAQ) **PAGE 2**

HOW TO START A PETITION FOR REVIEW POST-CONVICTION **PAGE 4**

THINGS TO KNOW ABOUT PETITIONS FOR REVIEW POST-CONVICTION **PAGE 5**

STAGES OF A PETITION FOR REVIEW POST-CONVICTION **PAGE 8**

THINGS TO KNOW ABOUT SERVICE **PAGE 13**

THINGS TO KNOW ABOUT DIGITAL EVIDENCE **PAGE 15**

HOW TO WRITE AND FILE MOTIONS **PAGE 17**

WHEN THE COURT MAKES A DECISION **PAGE 20**

IMPORTANT RULES FOR ALL CASES **PAGE 23**

HELPFUL COURT FORMS **PAGE 25**

WELCOME

This guide explains the appeal process at the Arizona Court of Appeals, Division One.

READ THIS GUIDE CAREFULLY

This guide is not legal advice.

It provides information to help you handle your case without a lawyer. It does not replace Arizona laws or court rules, which are linked here:

[Arizona Laws](#)

[Arizona Court Rules](#)

This guide gives only general information. It may not apply in all cases.

Every case is unique, and your situation might be different.

ADDITIONAL RESOURCES

If this guide does not answer your questions, you can ask the Court of Appeals Clerk's Office for help. But remember that court employees cannot give legal advice or tell you what you should do. If you need that kind of help, think about contacting one of the [appellate legal resources](#) listed on the court's website.

This information is also available in video form. Find the video guide here:



www.youtube.com/@ArizonaCOA

COMMUNICATING WITH THE COURT



PHONE

602-452-6700



EMAIL

inform@appeals.az.gov



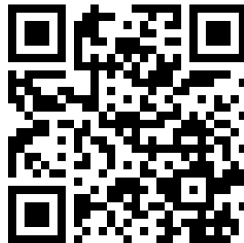
MAIL OR VISIT

1501 W. Washington, Suite 203
Phoenix, AZ 85007

The court is open Monday-Friday, 8am to 5pm. Closed on State holidays.
If you have an appellate case number, include it with your documents or message.

You cannot file documents by email.

You can find more information about the court online:



www.azcourts.gov/coa1

FAQ



HOW TO FILE DOCUMENTS

After the Court of Appeals opens your case and gives you an appellate case number, you can file documents with the court by:

- (1) Mailing them to the court,
- (2) Taking them to the court (8am-5pm, Monday to Friday), or
- (3) E-filing at any time through [TurboCourt](#) (the court's online e-filing service).

You cannot file any documents by email.



CERTIFICATES OF SERVICE

When you file a document at the Court of Appeals, include a "Certificate of Service" to tell the court when and how you gave the document to the other party. Use the [Certificate of Service form](#).

You must file a Certificate of Service with your document, not later.



HOW TO GET DOCUMENTS FROM THE COURT

The court will send you documents about your case by U.S. mail unless you ask it to email you instead. To ask the court to email you documents, use the [Consent to Electronic Distribution form](#).

Make sure to add coanotifications@appeals.az.gov to your safe senders list so emails from the court do not go to your spam folder.

Immediately tell the court in writing if your email or mailing address changes. Use the [Notice of Change of Contact Information form](#). Otherwise, you might not get notices or decisions, and you could miss important deadlines. **If you miss a deadline or do not respond to something, the court may dismiss your case.**

FAQ



CASE INFORMATION AND STATUS

You can check the status of your case by reviewing the Court of Appeals [docket](#).

A docket is a schedule that shows important events and deadlines for your case.

The court updates the docket each night after business hours. It may take 1-2 business days for filed documents to be shown on the docket.



HOW TO CALCULATE DUE DATES

There are [special rules](#) for calculating due dates. Generally,

- If you have 10 days or less to do something, do not count weekends and State holidays.
- If you have 11 days or more, include weekends and State holidays.

If a document is served by mail (not by email, TurboCourt, or hand-delivery), add 5 days of mail time to the last day. Mail time is **never** added to court orders.

Do not calculate a due date if an order says you must do something by a specific date (i.e., January 2, 2025). Follow the date in the order.

The court will list upcoming due dates on the [docket](#) for your case, but it is up to you to make sure you have the right date and file documents on time.

Find more information about how to calculate a due date [here](#).

HOW TO START A PETITION FOR REVIEW POST-CONVICTION

Even if you admitted guilt in a criminal case or the Court of Appeals upheld your conviction after an appeal, you can still challenge your conviction or sentence in a post-conviction proceeding. You can also challenge your sentence if your probation has been revoked.

START IN THE SUPERIOR COURT

File a notice and then a petition requesting post-conviction relief. That court will have forms available.

The superior court may deny the petition right away or it may conduct a hearing where you can present argument and, sometimes, testimony. The court will then make its decision.

IF YOU DISAGREE WITH THE DECISION AND WANT TO CHALLENGE IT

You have 30 days after the decision to file a petition for review at the Court of Appeals. Use the [Petition for Review \(PRPC\) form](#) and see [Things to Know About Petitions for Review Post-Conviction](#) for details about what to include.

If you need more time, you can ask the superior court for an extension to file your petition or for permission to file a delayed petition if the deadline has passed. The superior court does not always grant these requests.



**DO NOT FILE A NOTICE OF APPEAL AT THE SUPERIOR COURT.
THAT IS NOT THE CORRECT PROCEDURE AND WILL DELAY
YOUR CASE.**

THINGS TO KNOW ABOUT PETITIONS FOR REVIEW POST-CONVICTION



WHAT IS A POST-CONVICTION PROCEEDING?

A post-conviction proceeding lets someone challenge their conviction or sentence, even if they already pled guilty or a higher court has already reviewed their case.

Unlike an appeal, which focuses on fixing mistakes made during the trial, post-conviction proceedings can deal with other problems, like changes in the law or claims that the attorney did a poor job.

Petition for review post-conviction cases have an appellate case number that starts with "1CA-CR" and ends with "PRPC."

RECORD / TRANSCRIPT

After you file your petition for review, the Court of Appeals will tell the superior court to send it all the documents from your case. This can take up to 45 days.

If the superior court held an evidentiary hearing on your petition for relief, you have 30 days after the court's decision to ask it for a transcript of the hearing (a typed copy of everything that was said). If the court grants your request and you qualify financially, a transcript will be prepared at no cost to you and sent to the Court of Appeals.

WHO ARE THE PETITIONER AND RESPONDENT?

If you filed the petition for review, you are the "petitioner," and the State is the "respondent."

IMPORTANT RULES YOU MUST FOLLOW

Arizona Rules of Criminal Procedure [32](#) and [33](#) apply to post-conviction matters. **It is important to read these rules because you must follow them exactly.** Only certain issues can be raised in a post-conviction relief proceeding.

THINGS TO KNOW ABOUT PETITIONS FOR REVIEW POST-CONVICTION



WHAT SHOULD THE PETITION FOR REVIEW SAY?

Explain why you think the superior court's decision on your petition requesting post-conviction relief was wrong. Do not just ask the Court of Appeals to read the notice or petition you filed in the superior court. This could cause you to lose your claim. Instead, explain the mistake(s) you believe the superior court made.

Be sure to include:

- A copy of the superior court's decision on your petition requesting post-conviction relief.
- A list of the issues you want the Court of Appeals to review.
- A summary of key facts related to those issues, pointing to specific parts of the case record.
- Reasons why the Court of Appeals should grant your petition, including any laws or cases you know.
- References to important documents or evidence in the record supporting your argument. You do not need to attach copies.

BEFORE YOU FILE YOUR PETITION FOR REVIEW

Make sure:

- Your petition for review is easy to read and is **no longer than 22 pages (handwritten) or 6,000 words (typed)**.
- You are **not submitting evidence that the superior court did not see or making new arguments** in your petition for review. The Court of Appeals only looks at what happened during the post-conviction relief proceeding in the superior court to decide if that court made a mistake.

THINGS TO KNOW ABOUT PETITIONS FOR REVIEW POST-CONVICTION



FILING YOUR PETITION FOR REVIEW

You can file your petition by mailing or taking it to the court, or by e-filing it through [TurboCourt](#). If you file by mail or hand delivery, file an original and one copy of the petition and send two copies to the attorney representing the State. See [Things to Know About Service](#).

Include:

- A signed “Certificate of Compliance” to verify that the petition meets the word or page limit. Use the [Certificate of Compliance form](#).
- A signed “Certificate of Service” explaining how you gave your petition to the State (mail, email, [TurboCourt](#), or hand delivery). Use the [Certificate of Service form](#).

AFTER YOU FILE YOUR PETITION FOR REVIEW

The State does not have to respond to your petition. The Court of Appeals will still consider the arguments you make in the petition to decide if the superior court made a mistake.

There is no time limit for the court to decide your case, and it may take longer than a year.

If the Court of Appeals grants your request for relief, it will usually send the case back to the superior court for more proceedings.

STAGES OF A PETITION FOR REVIEW POST-CONVICTION

01

SET-UP

You file a petition, the court opens your case, gets the record, and assigns an appellate case number.

02

BRIEFING

The State responds to your petition, and you can reply.

03

AT ISSUE

The case is ready to be assigned to the judges.

04

ASSIGNED / ORAL ARGUMENT / UNDER ADVISEMENT

The judges discuss the case and write their decision.

05

DECISION

The court sends you a written decision.

STAGES OF A PETITION FOR REVIEW POST-CONVICTION

01 SET-UP

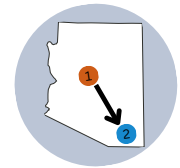


Filing a Petition for Review Post-Conviction in the Court of Appeals starts the process for review of the superior court's decision.

After set-up, some cases are sent to Division Two of the Arizona Court of Appeals (located in Tucson).

These cases are picked based on a set schedule. The court does not look at each case and decide if it wants to keep it or not.

If your case is moved, the court will let you know and tell you how to contact Division Two.



RECORD



Before the Court of Appeals can consider your petition for review, it needs to get all the documents from your case (called the record). The record includes everything you and the State filed in the superior court, court orders, and exhibits.

After you file your petition for review, the Court of Appeals will give you an appellate case number that you must use when you file documents or contact the court. It will also tell the superior court to send it the record, which can take up to 45 days.

FILING FEE



You will not be charged a filing fee in a petition for review post-conviction case.

TRANSCRIPTS



The Court of Appeals does not automatically receive recordings or transcripts of superior court hearings unless they are already part of the record.

If your petition for review is about things discussed in a hearing that has not yet been transcribed, you can ask the superior court to have the transcript prepared. The government will pay for the transcript if you qualify based on your financial situation.

STAGES OF A PETITION FOR REVIEW POST-CONVICTION

02 BRIEFING

Briefs are written arguments where you and the State tell the court what happened and why you think the decision in your case was right or wrong. Most cases are decided just based on the briefs.

Your petition for review post-conviction is like an opening brief. It should say why you think the superior court's decision was wrong.



What to Include:

- A copy of the superior court's decision on your petition requesting post-conviction relief.
- A list of the issues you want the Court of Appeals to review.
- A summary of key facts related to those issues, pointing to specific parts of the case record.
- Reasons why the court should grant the petition, including any relevant laws or cases you know.
- References to important documents or evidence in the record supporting your argument. You do not need to attach copies.

The State has 30 days to file a response. It does not have to respond, but if it does, you can file an **optional** reply brief within 20 days.

If the State files a response and you choose to file a reply brief, focus on why you think the State's arguments are wrong. Do not just repeat the arguments from your petition for review. You must give a copy of your reply brief to the State. See [Things to Know About Service](#).

If you want the court to let you talk to the judges about what is in the briefs (called oral argument), you must file a [Request for Oral Argument form](#). **The deadline is 10 days after the reply brief is due or is filed, whichever comes first.**



STAGES OF A PETITION FOR REVIEW POST-CONVICTION

03 AT ISSUE

After the reply brief is filed (or the deadline passes), the case is then “At Issue.” This means it is ready to be assigned to a panel of three judges.

Your case may be At Issue for several months before it is assigned to judges.

04 ASSIGNED / ORAL ARGUMENT / UNDER ADVISEMENT

After your case is assigned to a panel of judges, they will consider it. You can check the [docket](#) to find out which judges will decide your case.

The judges decide petitions for review post-conviction by reading the briefs and looking at the case record.

The judges usually do not set oral argument. If you or the State requested oral argument and the judges decide it would be helpful in your case, the court will tell you when and where the argument will be held. Arguments are usually in person at the Court of Appeals building in Phoenix.

After the judges discuss the case or hear oral argument, the case will be “Under Advisement.” During this time, the judges are researching the issues and writing their decision.

It may take several months for the judges to decide a case after it is assigned.

STAGES OF A PETITION FOR REVIEW POST-CONVICTION

05 DECISION

You will get a written decision from the court when the judges decide your case.

The court typically releases decisions on Tuesdays and Thursdays. It will send you the decision on the day it is released, either by mail or email (if you agreed to email delivery).

All decisions are public and will be posted on the court's [website](#) on the day they are released.





THINGS TO KNOW ABOUT SERVICE



You must give a copy of every document you file in the Court of Appeals to the other party's attorney (or the party if no attorney).

This is called "service" and there are rules for how to do it.

HOW YOU CAN SERVE DOCUMENTS

 <p>Mail</p> <p>By U.S. Mail to the other party's address.</p>	 <p>Email</p> <p>IF AND ONLY IF the other party has agreed in writing that you can serve them by email.</p>
 <p>Delivery</p> <p>Hand it to the other party OR Drop it off at their office (with someone or where it is easy to find), or at their home with a responsible person who lives there.</p>	 <p>TurboCourt</p> <p>If the other party has an attorney OR If the other party has agreed in writing that you can serve them through <u>TurboCourt</u>.</p>

THINGS TO KNOW ABOUT SERVICE



Every time you file a document, you must tell the court how and when you served it on the other party.

Use the Certificate of Service form. File it the same way you file your document.

If the other party has an attorney, serve your document on the attorney, not the party.

Explain how you served the document.

You do not need to show proof like a return mail receipt. Your signature on the certificate is a promise to the court that you served the document exactly as you said.

The service rules make sure both sides see everything filed with the court and can respond if they want.

If you do not file a Certificate of Service, the court could:

- Order you to file one,
 - Refuse to consider your document (strike it), or
 - Dismiss your case.
-

THINGS TO KNOW ABOUT DIGITAL EVIDENCE



WHAT IS DIGITAL EVIDENCE?

Digital evidence is any item that was submitted through an online portal to be used in a superior court case. It can be a document, photo, audio recording, video, etc.



WHAT IS CASE CENTER?

Case Center (formerly CaseLines) is the online portal used by Arizona courts for digital evidence.

The superior court uses Case Center in some cases to collect, organize, and keep digital evidence. When a case with digital evidence is appealed, the superior court lets the Court of Appeals view the evidence in Case Center.



IF YOU USED DIGITAL EVIDENCE IN SUPERIOR COURT

If you represented yourself in the superior court and had access to Case Center, you can use the same log-in information on appeal to view the same evidence.

If you had an attorney in the superior court, but are representing yourself on appeal, the Court of Appeals will give you access to Case Center.

- To request access, [call](#) or [email](#) the Court of Appeals.
- Once the court confirms that you are a party to the case and invites you to view it in Case Center, you will need to [create an account](#). To do this, you will need an email address.

THINGS TO KNOW ABOUT DIGITAL EVIDENCE



USING CASE CENTER ON APPEAL

If your case in the superior court had digital evidence in Case Center, the Court of Appeals can see that evidence. No new evidence can be added to the Case Center portal during the appeal.

You must log in to Case Center to view the digital evidence.

- If you view your appeal record in the Court of Appeals' viewing room or through [TurboCourt](#), it will have a link to the digital evidence in Case Center.
- Otherwise, log in to Case Center and search for your superior court case number to view the digital evidence.

If you are not sure if your case has digital evidence, check the [docket](#). You will see "Digital Exhibits" listed as part of the record if there is digital evidence.

You cannot access sealed or restricted exhibits in Case Center. Contact the Court of Appeals if you need access to these exhibits.

[Help for Using Case Center](#)

HOW TO WRITE AND FILE MOTIONS



A motion is how you ask the Court of Appeals for something.

For example, you can file a motion to ask for more time to file a brief. Use the [Motion for Extension of Time to File a Brief form](#).

USE THE CORRECT FORM

See [Helpful Court Forms](#). The [Motion for Extension of Time to File a Brief form](#) and the [General Motion form](#) are the most commonly used.

You can also create your own document if you want. Be sure the first page has the correct [caption](#) for your case and the document is in the right [format](#).

TELL THE COURT WHAT YOU WANT IT TO DO

Give the legal reasons why the court should do what you are asking.

Tell the court whether you have asked the other party to agree to what you are asking. If they agree, the court may be able to decide your motion faster.

BE SURE TO SIGN THE MOTION

If you file in [TurboCourt](#), you can sign with a scanned signature or by typing /s/ on the signature line, like this: _____
/s/
John Doe

INCLUDE A CERTIFICATE OF SERVICE

You must include a signed "Certificate of Service" that tells the court when and how you gave your motion to the other party (mail, email, [TurboCourt](#), or hand delivery). Use the [Certificate of Service form](#).

HOW TO WRITE AND FILE MOTIONS

HOW TO FILE A MOTION



File the original document with the court. If you file in paper, file the original plus one copy.

Attach a signed Certificate of Service to the original and each copy telling the court when and how you are giving your motion to the other party (mail, email, [TurboCourt](#), or hand delivery). Use the [Certificate of Service form](#).

Give a copy of your motion to the other party. If they have an attorney, give the copy to the attorney instead. See [Things to Know About Service](#).

Keep a copy of the motion for yourself.

THERE ARE SPECIAL RULES FOR FIGURING OUT DUE DATES

The court will list upcoming due dates on the [docket](#) for your case, but it is up to you to make sure you have the right date and file documents on time.

See [How to Calculate a Due Date in the Arizona Court of Appeals](#) for more information.

HOW TO WRITE AND FILE MOTIONS

WHAT HAPPENS AFTER YOU FILE A MOTION



The court might rule on your motion right away. If not, the other party may respond to your motion within 10 days. If the other party responds, you may file a reply within 5 days.



If you file a reply, explain to the court why you think the response is wrong. Do not just repeat what you already said in your motion or bring up totally new points. Focus on the other party's response.



If you need more time to file your reply, file a motion for extension of time before the due date. Use the [General Motion form](#).



After you and the other party file all papers related to the motion, the court will make a decision and send you a written order ruling on the motion.

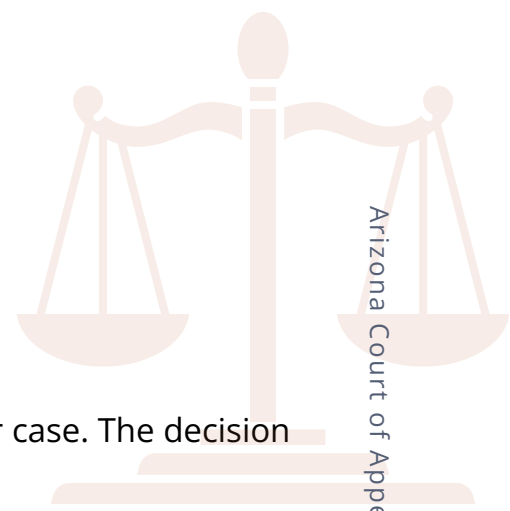
RESPONDING TO A MOTION

If the other party files a motion, you may respond with your arguments against it, but you do not have to. Use the [Motion Response form](#).

The deadline for responding is usually 10 days after you are served with the motion. If you need more time to file your response, file a motion for extension of time before the due date. Use the [General Motion form](#).



WHEN THE COURT MAKES A DECISION



The court will send you a written decision when it decides your case. The decision may be an order, a memorandum decision, or an opinion.

An **order** is usually a short ruling without detailed reasoning. It is publicly available, but not posted on the court’s website.

A **memorandum decision** explains how your case was decided but is not meant to be used as a guide for other cases. An **opinion** includes a deeper legal analysis and can be used as a guide for future cases. Both types of decisions are posted on the court’s website.

POSSIBLE OUTCOMES

The Court of Appeals decision could do one or more of these things.

REVIEW DENIED

The Court of Appeals decides not to review your petition.

REVIEW GRANTED; RELIEF DENIED

The Court of Appeals decides that the superior court’s ruling was correct.

REVIEW GRANTED; RELIEF GRANTED

The Court of Appeals decides that the superior court’s ruling was incorrect, at least in part. Usually, the court sends the case back to the superior court for a new hearing or other actions as directed.

WHEN THE COURT MAKES A DECISION



FURTHER REVIEW

If you think the Court of Appeals' decision in your case is wrong and want to take further action, you have two options:

OPTION 1

File a motion for reconsideration in the Court of Appeals

- Use the [General Motion form](#). It must be filed within 15 days after the decision.
- Tell the Court of Appeals why you think the decision is wrong. Restating the arguments in your brief(s) or saying the court got it wrong without giving reasons will not convince the court to change its decision.
- The court may deny the motion without a response, but it will not grant the motion without first asking the other side to file a response. The court will tell you if you can file a reply to the response.

OPTION 2

File a petition for review in the Arizona Supreme Court

- The deadline is 30 days after the Court of Appeals' decision, or 15 days after the Court of Appeals decides a motion for reconsideration, whichever is later.
 - If you need more time, you must file a motion for extension of time **in the Arizona Supreme Court**.
- Read [Arizona Rule of Criminal Procedure 31.21](#) before you begin writing your petition for review. It must include a list of the issues that you want the Arizona Supreme Court to review, the facts that are important to those issues, and the reasons the court should grant the petition.
- The Arizona Supreme Court does not have to hear your case and it only takes a small number of cases each year.

WHEN THE COURT MAKES A DECISION



MANDATES

The mandate is the final order of the appellate court. The Court of Appeals issues the mandate after the time to file a petition for review at the Arizona Supreme Court ends, if no petition is filed.

When a petition for review is filed:

- If the Arizona Supreme Court **denies the petition**, the Court of Appeals will wait 15 days after the denial to issue the mandate.
- If the Arizona Supreme Court **grants the petition**, it will issue the mandate after it finishes the case.

Until the Court of Appeals or Arizona Supreme Court issues the mandate, no other court or agency can take any action that conflicts with the decision being reviewed or interferes with the review process.

If the court's decision in your case was an order, the court will issue a termination letter instead of a mandate.

IMPORTANT RULES FOR ALL CASES



MEET YOUR DEADLINES

Read everything you get from the court. The court will send you important instructions and deadlines for your case. **If you miss a deadline or do not respond to something, the court may dismiss your case.**

Make sure you know what is happening in your case by checking the docket. A docket is a schedule that shows events and deadlines for your case.

There are special rules for calculating due dates. The court will list upcoming deadlines on the docket for your case, but it is up to you to make sure you have the right date and file documents on time. See How to Calculate a Due Date in the Arizona Court of Appeals for more information.



FILL OUT YOUR FORMS CORRECTLY

Everything you send to the court must be clear and easy to read.

Use white letter-size (8.5 x 11 inch) paper. If possible, type your documents. If you write by hand, write clearly with blue or black ink.

Number your pages and put them in order. Use only one paper clip to keep your documents together; do not staple them.



KEEP COPIES OF YOUR DOCUMENTS

Make copies of all documents you file with the court and keep all documents sent to you.

IMPORTANT RULES FOR ALL CASES



DELIVER DOCUMENTS THE RIGHT WAY

Give a full copy of all documents you file with the court to the other party. If the other party has an attorney, give the documents to the attorney instead.

Use the correct address. Before you put anything in the mail, make sure the address is correct.

Use email or electronic service only if the other party has an attorney or has agreed in writing that you can serve them electronically.

Attach a signed Certificate of Service to every document you file with the court. Be sure to say how you gave your document to the other party (mail, email, TurboCourt, or hand delivery). Use the Certificate of Service form.

To find out more about delivering documents, see [Things to Know About Service](#).



TELL THE COURT IF YOUR INFO CHANGES

If your email or mailing address changes, tell the court right away. Use the Notice of Change of Contact Information form.

Otherwise, you might miss notices, decisions, or court deadlines. **If you miss a deadline or do not respond to something, the court may dismiss your case.**

HELPFUL COURT FORMS

FORM 1.7 [PETITION FOR REVIEW \(PRPC\)](#)

FORM 2 [CERTIFICATE OF COMPLIANCE](#)

FORM 2.1 [CERTIFICATE OF SERVICE](#)

FORM 3 [CAPTION](#)

FORM 3.1 [MOTION FOR EXTENSION OF TIME TO FILE BRIEF](#)

FORM 3.2 [GENERAL MOTION](#)

FORM 3.3 [RESPONSE TO MOTION](#)

FORM 4.1 [BRIEF](#)

FORM 5 [CONSENT TO ELECTRONIC DISTRIBUTION](#)

FORM 5.1 [NOTICE OF CHANGE OF CONTACT INFORMATION](#)

FORM 6 [REQUEST FOR ORAL ARGUMENT](#)

Full Set of Court Forms Available on the Court's [Website](#)

ACKNOWLEDGMENTS

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