BASIC VICTIMS' RIGHTS TRAINING

Appeals and Post-Conviction Petitions

Direct Appeal

ONLY AN OPTION IF CONVICTED AT TRIAL

(AZ COURT OF APPEALS)

Notice of Appeal *(Filed w/in 20 days)*

*Notice of Completed Record (*25 days)*

Opening Brief *(*20 days)*

Answering Brief *(*10 days)*

Reply Brief

Oral Argument *(Optional)*

Opinion or Memorandum Decision Issued

**Motion for Reconsideration*(*30 days)*

(AZ COURT OF APPEALS)

Affirmed or Denied

**Petition for Review

(AZ SUPREME COURT)

Granted or Denied

**Petition for Writ of Certiorari

(U.S. SUPREME COURT)

Granted or Denied

Opinion Issued

Order & Mandate

(AZ COURT OF APPEALS OR AZ SUPREME COURT)

Key

* Time limit can be extended

**Can be filed by state or defense

Defendant may file a PCR during a Direct Appeal, which means that there may be some fluctuation between processes.

Petition for Post-Conviction Relief

(ORIGINAL TRIAL COURT, A.K.A. RULE 32)

Notice of PCR *(*Filed w/in 90 days)*

Petition Filed

State's Response

Reply *(Optional)*

Granted or Dismissed

Evidentiary Hearing *(Optional)*

Granted or Denied

**Motion for Rehearing

(ORIGINAL TRIAL COURT)

Granted or Denied

**Petition for Review

(AZ COURT OF APPEALS)

Granted or Denied

**Motion for Reconsideration

(Only if review was granted)

(AZ COURT OF APPEALS)

Granted or Denied

**Petition for Review

(AZ SUPREME COURT)

Oral Argument *(optional)*

Granted or Denied

**Motion for Reconsideration

(Only if review was granted)

(AZ SUPREME COURT)

Granted or Denied

**Petition for Writ of Certiorari

(U.S. SUPREME COURT)

Order and Mandate

(AZ COURT OF APPEALS OR AZ SUPREME COURT)

May file additional PCRs

Petition for Writ of Habeas Corpus

(U.S. DISTRICT COURT)

Petition Filed *(by "Petitioner")*

Respondent's Answer *(by State, optional)*

Federal Hearing *(optional)*

Motion: Amendment of Judgment/Judgment

Request for Certificate of Appealability

(U.S. 9TH CIRCUIT COURT OF APPEALS)

Habeas Corpus Appeal

(U.S. 9TH CIRCUIT COURT OF APPEALS)

Appellant's Notice of Appeal

Appellant's Legal Brief *(defendant or state)*

Appellee's Legal Brief *(defendant or state)*

Oral Argument *(optional)*

Request for Rehearing *(3 judges)*

Request for Rehearing en banc *(11 judges)*

Request for Full Bench Hearing *(27 judges)*

Writ of Certiorari

(U.S. SUPREME COURT)

Updated 10/2014