

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-123572-001 DT

02/10/2014

HONORABLE SUSAN M. BRNOVICH

CLERK OF THE COURT
S. Cornfield
Deputy

STATE OF ARIZONA

LISA MARIE MARTIN

v.

GARY THOMAS KELLEY (001)

NATALEE SEGAL

APPEALS-PCR
COURT ADMIN-CRIMINAL-PCR

MINUTE ENTRY

The Court has reviewed defendant's "Motion To Withdraw PCR and allow defendant to file pro per pcr" filed January 7, 2013. The defendant is requesting permission to withdraw PCR filed by counsel and represent himself at this time in his Rule 32 proceeding. The Court has appointed counsel to represent the defendant in his Rule 32 proceeding. The Court is not inclined to grant the defendant's request nor does the defendant have a constitutional right to represent himself in a post-conviction relief proceeding. *See Martinez v. Court of Appeals of California*, 528 U.S. 152, 120 S.Ct. 684 (U.S. 2000).

Additionally, if counsel files a notice of completion the defendant will have an opportunity to submit a pro per petition in accordance with Ariz. R. Crim. P. 32.4(c)(2).

IT IS ORDERED denying the defendant's motion.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.