

Arizona Supreme Court
Criminal Petition for Review-Post Conviction (ASC)

CR-24-0203-PR

STATE OF ARIZONA v TIMOTHY CERVANTEZ

Appellate Case Information

Case Filed: **9-Aug-2024** Archive on: 12-Aug-2034 (planned)
Case Closed: **12-Aug-2024**

Dept/Composition

Side 1. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

• State of Arizona

Attorneys for: Respondent

Gary Griffith, Esq. (AZ Bar No. garygriffith)

Side 2. TIMOTHY CERVANTEZ, Petitioner

(Litigant Group) TIMOTHY CERVANTEZ

• Timothy Tim Cervantez

PRO SE

CASE STATUS

Aug 12, 2024....Case Closed

Aug 12, 2024....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA	2 CA-CR 24-0034 PRPC				
GRE	CR201700045		Michael D Peterson, Authoring Judge of Order Comments: (none)		

CASE DECISION

12-Aug-2024 ORDER

* On August 9, 2024, Petitioner Cervantez, pro se, filed a "Cross Petition for Review Rule 31.19." Petitioner seeks to challenge the memorandum decision entered by the court of appeals on June 24, 2024. Petitioner's filing does not comply with Arizona Ru

Filed: **12-Aug-2024**

Mandate:

Decision Disposition

Dismissed

William Montgomery

2 PROCEEDING ENTRIES

- 9-Aug-2024 FILED: Cross Petition for Review Rule 31.19 (Petitioner Cervantez, Pro Se)
- 12-Aug-2024 On August 9, 2024, Petitioner Cervantez, pro se, filed a "Cross Petition for Review Rule 31.19." Petitioner seeks to challenge the memorandum decision entered by the court of appeals on June 24, 2024. Petitioner's filing does not comply with Arizona Rule of Criminal Procedure 31.21 (b)(2)(A), which requires a petition to be filed "no later than 30 days after the Court of Appeals enters its decision or no later than 15 days after the disposition of a timely filed motion for reconsideration." Although Petitioner filed a "Petition for Reconsideration" in the court of appeals, it was three days late and therefore untimely. Accordingly, the petition for review in this Court should have been filed on July 22, 2024.

Moreover, the petition does not comply with Rule 31.21(g), requiring that a petition "must not exceed 12.5 pages." Based on the foregoing, and after consideration,

IT IS ORDERED dismissing the petition for review as untimely and non-compliant. (Hon William G Montgomery)