FILED
TIME 9:42a M
MAR 11 2015
VIRLYNN TINNELL
CLERK SUPERIOR COURT
BY: DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE

STATE OF ARIZONA, Plaintiff,	NO. CR-2010-00821/00836
vs.	NOTICE OF RIGHT OF REVIEW OF CONVICTION
CASSLYN M. WELCH, Defendant.	

You have a right to appeal from a final judgment of conviction, from an order denying a post-trial motion, or from a sentence which is illegal or excessive. Arizona Constitution Art. 2, Section 24; Arizona Revised Statutes Annotated Sec. 13-4031 (1978). If you are a non-capital defendant, you do not have a right to appeal if you have pleaded guilty or no contest or have admitted a violation of conditions of probation. In that case, relief may be sought only by petition for post-conviction relief. Rules 17.1, 17.2 and 27.8, Rules of Criminal Procedure, 17 A.R.S. Arizona Revised Statutes Annotated Sec. 13-4033(B)(1992).

In order to exercise your right to appeal:

1. You must file a Notice of Appeal (Form XXIV) within 20 days of the entry of judgment and sentence. If you do not file a notice of appeal within 20 days you will lose your right to appeal. The entry of judgment and sentence occurs at the time of sentencing.

2. To file a Notice of Appeal you should contact your lawyer, by letter, telephone or in person, telling him that you want to appeal. You can file the notice of appeal before you leave the courtroom on the day you are sentenced if you wish.

3. If you do not have a lawyer, get copies of Form V, Defendant's Financial Statement and Request for Appointment of Counsel and Form XXIV(a), Notice of Appeal, either from the clerk of the court, jail, or the prison, fill them both out and file or send them to the clerk of the superior court in the county where you were tried and sentenced. They must arrive at the clerk's office within 20 days after you were sentenced.

4. You should have a lawyer handle your appeal.

RIGHT TO POST-CONVICTION RELIEF

You also have a right to petition the Superior Court for post-conviction relief. Rule 32, Rules of Criminal Procedure, 17 A.R.S.

In order to exercise your post-conviction relief right:

1. You must file a Notice of Post-Conviction Relief (Form XXIV(c)) within 90 days of the entry of judgment and sentence if you do not file, or you do not have the right to file, a Notice of Appeal. If you do appeal, the time you have to file a Notice of Post-Conviction Relief is extended to within 30 days of the order and mandate affirming the judgment and sentence on direct appeal. If you do not timely file a Notice of Post-Conviction Relief you may never have another opportunity to have any errors made in your case corrected by another court.

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2. To file for post-conviction relief get a copy of Form XXIV(c), Notice of Post-Conviction Relief, either from the clerk of the court, jail, or the prison, fill it out and file or send it to the clerk of the superior court of the county where you were sentenced. The notice must arrive at the clerk's office within 90 days after you were sentenced or within 30 days of the order and mandate affirming the judgment and sentence on direct appeal.

3. You should execute the Affidavit of Indigency contained in the Notice of Post-Conviction Relief and request that a lawyer be appointed to represent you if you cannot afford to hire a lawyer.

If you want a full copy of the rules governing appeals and post-conviction relief, the clerk of the court in the county where you were convicted will send you one upon request.

RECEIPT BY DEFENDANT

I have received a copy of this notice explaining my right to appeal, my right to seek post-conviction relief and the procedures I must follow to exercise these rights.

3/11/15
DATE

DEFENDANT