

Form 26. Defendant’s Request for the Court Record

Court Name or Location: _____

County: _____

STATE OF ARIZONA, Plaintiff

Case Number: _____

-vs-

DEFENDANT’S REQUEST FOR THE COURT RECORD

Defendant (first, middle, and last name)

Note: The court’s record includes all documents filed with the clerk. The court’s record also includes transcripts of oral proceedings conducted in the courtroom. A defendant who requests copies of items admitted into evidence must make the request by a separate motion.

The Defendant has filed a Notice Requesting Post-Conviction Relief under [] **Rule 32** (or) [] **Rule 33**.

The Defendant now requires items from the court’s record to prepare the Defendant’s petition for post-conviction relief.

The Defendant requests the items checked below. The Defendant’s signature below affirms that the Defendant has not previously received the requested items.

[] **THE DEFENDANT REQUESTS DOCUMENTS FILED WITH THE CLERK**

The filed documents presumptively include the charging documents, motions and responses to motions and replies, minute entries, presentence reports and other reports to the court, and court orders. This is referred to as “the presumptive record.”

If the Defendant wants to **omit items** in the presumptive record, list them here:

If the Defendant requests **items in addition to** what is in the presumptive record, list them here:

[] **THE DEFENDANT REQUESTS TRANSCRIPTS OF COURT PROCEEDINGS:**

1. If the Defendant’s Notice Requesting Post-Conviction Relief was filed under **Rule 32**, the Defendant requests transcripts of the following:

[] Evidentiary hearings.

Specify the subjects of the evidentiary hearings, or indicate “all”:

[] Trial. If this box is checked, specify whether the Defendant requests transcripts of: (Check all that apply.)

[] Hearings on pretrial motions

- Jury selection
- Opening statements
- Testimony of witnesses
- Final arguments
- Hearings on legal issues during trial
- Hearings on Post-Trial Motions
- Settlement Conference
- Sentencing, including any presentence hearing
- Rule 11 Hearings
- Other (specify): _____

2. If the Defendant's Notice Requesting Post-Conviction Relief was filed under **Rule 33**, the Defendant requests transcripts of the following:

- Change of Plea
- Presentence Hearing
- Sentencing
- Probation Revocation Arraignment
- Probation Violation Hearing
- Probation Violation Disposition Hearing
- Rule 11 Hearing
- Settlement Conference
- Other (specify): _____

3. **Omitted Proceedings.** The court will **not** provide transcripts of the following proceedings unless the Defendant checks a box requesting one or more specific items.

- Hearings on Motions to Continue
- Hearings Concerning Conditions of the Defendant's Pre-trial Release
- Arraignments
- Pretrial Conferences
- Trials in which no verdict was returned

Dated this ____ day of _____, 20__.

Defendant or Attorney for Defendant

Copy of the foregoing

Mailed this ____ day of _____, 20__ to:
