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State Bar Membership No. 006169
Attorney for DEFENDANT

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,

Plaintiff,

v.

JOHN CHESTER STUART,

Defendant.

No. CR2008-006332-001 DT

**NOTICE OF COMPLETION
OF POST-CONVICTION
REVIEW BY COUNSEL;
REQUEST FOR EXTENSION
OF TIME TO ALLOW DEFENDANT
TO FILE PRO PER PETITION FOR
POST-CONVICTION RELIEF**

(Assigned to Hon. Gary Donahoe; Rule 32
Management Unit)

Counsel for the defendant respectfully informs the Court that he has reviewed the following materials in this matter:

1. Superior Court instruments and minute entries;
2. Transcript of the defendant's change of plea and sentencing proceedings.

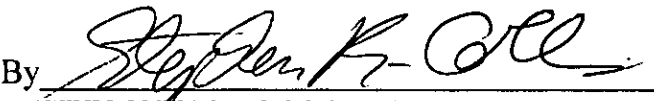
Having completed this review, counsel is unable to find any claims for relief to raise in post-conviction relief proceedings. Accordingly, counsel has no Petition for Post-Conviction Relief to file at this time.

Pursuant to *Lammie v. Barker*, 185 Ariz. 263, 915 P.2d 662 (1996), *Montgomery v. Sheldon*, 181 Ariz. 256, 889 P.2d 614 (1995), *op. sup.*, 182 Ariz. 118, 893 P.2d 1281

(Montgomery II) (1995), and *State v. Rodriguez*, 183 Ariz. 331, 903 P.2d 639 (App. 1995), counsel requests the Court extend the time for filing a Petition for Post-Conviction Relief for 45 days so the defendant may file a Rule 32 petition *in propria persona*. A defendant in post-conviction relief proceedings is entitled to proceed *in propria persona* if counsel can find no claims for relief to raise on his behalf. *Lammie, Montgomery, Rodriguez, supra*, and *State v. Shedd*, 146 Ariz. 5, 703 P.2d 552 (App. 1985).

RESPECTFULLY SUBMITTED this 10th day of June, 2009.

MARICOPA COUNTY PUBLIC DEFENDER


By 
STEPHEN R. COLLINS
Deputy Public Defender

Copy of the foregoing mailed/
delivered this 10th day of
June, 2009, to:

THE HONORABLE GARY DONAHOE
Judge of the Superior Court

ELIZABETH BURTON ORTIZ
Deputy County Attorney

JOHN CHESTER STUART
3303 West Twain Ct.
Phoenix, AZ 85086

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