

Smith, L.
February 28, 2006

WC - to make form

POSSIBLE POST-CONVICTION RELIEF ISSUES

- A. The introduction at trial of evidence obtained pursuant to an unlawful arrest.
- B. The introduction at trial of evidence obtained by an unconstitutional search and seizure.
- C. The introduction at trial of an identification obtained in violation of constitutional rights.
- D. The introduction at trial of a coerced confession.
- E. The introduction at trial of a statement obtained in the absence of a lawyer at a time when representation is constitutionally required.
- F. Any other infringement of the right against self-incrimination.
- G. The denial of the constitutional right to representation by a competent lawyer at every critical stage of the proceeding.
- H. The unconstitutional suppression of evidence by the state.
- I. The unconstitutional use by the state of perjured testimony.
- J. An unlawfully induced plea of guilty or no contest.
- K. Violation of the right not to be placed twice in jeopardy for the same offense.
- L. The abridgement of any other right guaranteed by the constitution or the laws of this state, or the constitution of the United States, including a right that was not recognized as existing at the time of the trial if retrospective application that right is required.
- M. The existence of newly-discovered material which requires the court to vacate the conviction or sentence. (Specify when you learned of these facts for the first time, and explain how they would have affected the case.)
- N. The lack of jurisdiction of the court which entered the conviction or sentence.
- O. The use by the state in determining sentence of a prior conviction obtained in violation of the United States or Arizona constitutions.
- P. Sentence imposed other than in accordance with the sentencing procedures established by rule and statute.
- Q. Being held beyond the term of sentence imposed.
- R. The failure of the judge at sentencing to advise you of your right to appeal and the procedures for doing so.
- S. The failure of your attorney to file a timely notice of appeal after being instructed to do so.
- T. The obstruction by state officials of the right to appeal.
- U. Any other ground within the scope of Rule 32 of the Arizona Rules of Criminal Procedure (please specify).

LAW FIRM

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