

No. 24-

IN THE
Supreme Court of the United States

CHRISTOPHER MICHAEL MONTOYA,

Petitioner,

v.

STATE OF ARIZONA,

Respondent.

On Petition for a Writ of Certiorari to the
Supreme Court of Arizona

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

KERRI L. CHAMBERLIN
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Petitioner, Christopher Michael Montoya, asks for leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. Petitioner has previously been granted leave to proceed *in forma pauperis* in the Maricopa County Superior Court and the Supreme Court of Arizona. Pursuant to Rule 39 of the Supreme Court Rules, the Superior Court's order finding Petitioner indigent and appointing counsel is attached hereto.

RESPECTFULLY SUBMITTED, this 13th day of January, 2025.

/s/ Kerri Chamberlin
KERRI L. CHAMBERLIN
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SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

Michael K Jeanes, Clerk of Court

*** Electronically Filed ***

I. Osuna, Deputy

12/28/2017 11:17:00 PM

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State of Arizona

1 Cnt MURDER 1ST DEG- F1

1 Cnt KIDNAP-DEATH/IN F2

CaseNumber: **CR2017006253001**

1 Cnt BURGLARY 2ND DE F3

1 Cnt THEFT-CONTROL P F3

vs.

1 Cnt UNLAW MEANS TRA F5

2 Cnt ANIMAL-CRUEL-NE F6

Booking#: **T423536**

1 Cnt AGG TAKING ID-G F3

Christopher Michael Montoya

It is hereby ordered that **Christopher Michael Montoya shall NOT be released** as indicated and must comply with ALL release conditions.

NEXT HEARINGS

**Original Arraignment
Hearing**

January 04, 2018 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ,
85003-2243 Courtroom: 3C **Docket: CRCNG**

WARNING: If the defendant appears at the next hearing without a lawyer, the hearing may still proceed as scheduled.

RELEASE TYPE

Not Bailable As A Matter of Right

The Defendant is Not-Bailable as a matter of Right and shall NOT be released from custody in this Cause Number until further order of the Court. The defendant is Not-Bailable for the following reason:

Other: Affirming the Grand Jury's warrant holding Defendant non-bondable.

RELEASE CONDITIONS

1. You must submit to DNA testing at the police department that arrested you within five (5) days of release from custody. You must bring proof of your DNA Testing to your next hearing. If you do not submit to testing your release will be revoked.
2. You must return to the police department that arrested you and have them 10-Print fingerprint you. If you are released from custody you must complete this before your next hearing. You must bring proof of your fingerprinting to your next hearing or your release may be revoked.

You must appear at all court proceedings in this case or your release conditions can be revoked, a warrant will be issued and proceedings may go forward in your absence. You must maintain contact with your attorney. If convicted, you will be required to appear for Sentencing. If you fail to appear, you may lose your right to a direct appeal. In addition, failure to appear at a future court proceeding may result in a waiver of any claim that you were not informed of a plea offer made in your case by the State. **a.** You will appear to answer and submit to all further orders and processes of the court having jurisdiction of the case. **b.** You will refrain from committing any criminal offenses. **c.** You will diligently prosecute any appeal. **d.** You will not leave the state without permission of the court. If you violate any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona. In addition, the court may issue a warrant for your arrest upon learning of your violation of any conditions of your release. After a hearing, if the court finds that you have not complied with the conditions of release, it may modify the conditions or revoke your release altogether.

If you are released on a felony charge, and the court finds the proof evident or the presumption great that you committed a felony during the period of release, the court must revoke your release. You may also be subject to an additional criminal charge, and upon conviction you could be punished by imprisonment in addition to the punishment which would otherwise be impossible for the crime committed during the period of release. Upon finding that you violated conditions of release, the court may also find you in contempt of court and sentence you to a term of imprisonment, a fine, or both.

ATTORNEY APPOINTMENT

The Court finds you to be indigent and orders an attorney to provide you representation.



SUPERIOR COURT OF ARIZONA FOR

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Case#: **CR2017006253001**

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ACKNOWLEDGEMENT BY DEFENDANT

I have received a copy of this form. I understand the standard conditions, all other conditions, and the consequences of violating this release order. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change my place of residence.

Date 12/28/2017 8:00:00 PM

Address: 1156 N DIANE ST

City, State, Zip: MESA, AZ, 85203

Michelle Carson

Chris Montoya

Michelle Carson

Judge / Commissioner

Signature: _____

Christopher Michael Montoya

Defendant