

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED
EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c);
Ariz. R. Crim. P. 31.24



DIVISION ONE
FILED: 09/25/2012
RUTH A. WILLINGHAM,
CLERK
BY: sls

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

STATE OF ARIZONA,) No. 1 CA-CR 10-1018
)
Appellee,) DEPARTMENT E
)
v.) **MEMORANDUM DECISION**
)
RAYMOND ANDREW BIANCO,) (Not for Publication -
) Rule 111, Rules of the
Appellant.) Arizona Supreme Court)
)

Appeal from the Superior Court in Maricopa County

Cause No. CR2007-009026-001 DT

The Honorable Janet E. Barton, Judge

AFFIRMED

Thomas C. Horne, Attorney General Phoenix
By Kent E. Cattani, Chief Counsel,
Criminal Appeals/Capital Litigation Section
Attorneys for Appellee

Maricopa County Office of the Legal Advocate Phoenix
By Thomas J. Dennis, Deputy Legal Advocate
Attorneys for Appellant

G E M M I L L, Judge

¶1 Raymond Bianco appeals from his convictions and sentences for murder in the first degree and conspiracy to commit murder in the first degree. Bianco's counsel filed a

brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969), stating that he has searched the record and found no arguable question of law and requesting that this court examine the record for reversible error. Bianco was afforded the opportunity to file a *pro se* supplemental brief but did not do so. See *State v. Clark*, 196 Ariz. 530, 537, ¶ 30, 2 P.3d 89, 96 (App. 1999). For the following reasons, we affirm.

FACTS AND PROCEDURAL HISTORY

¶2 "We view the facts and all reasonable inferences therefrom in the light most favorable to sustaining the convictions." *State v. Powers*, 200 Ariz. 123, 124, ¶ 2, 23 P.3d 668, 669 (App. 2001). With this principle in mind, the following pertinent facts were revealed at trial.

¶3 Victim Armando Paul Alvarez, Jr. was shot and killed in Phoenix on the night of March 22, 2006. Allegedly, Bianco hired three teenage boys (Israel (Fu Fu) Legliu, Sylvester Carpio, and Fabian Cordova) to terminate the victim because the victim owed Bianco money. Cordova agreed to testify against Bianco and the other co-defendants in exchange for a lesser charge of second degree murder. Elvira Gallego, a coworker of the victim, allegedly lured him and drove him to the area where he was killed at the behest of Bianco. Gallego also agreed to testify against Bianco and the other co-defendants in exchange

for a plea of facilitation of first degree murder.

¶14 The jury found Bianco guilty of both counts. On count one, first degree murder, Bianco was sentenced to prison for his natural life. On count two, conspiracy to commit first degree murder, Bianco was sentenced to life in prison without the possibility of parole until at least twenty-five calendar years have been served. The sentences are to run concurrently and Bianco received 1081 days of presentence incarceration credit toward count two.

¶15 Bianco timely appeals and we have jurisdiction pursuant to Arizona Constitution Article 6, Section 9, and Arizona Revised Statutes sections 12-120.21(A)(1) (2003), 13-4031 (2010), and 13-4033(A) (2010).¹

DISCUSSION

¶16 Having considered defense counsel's brief and examined the record for reversible error, *see Leon*, 104 Ariz. at 300, 451 P.2d at 881, we find none. The evidence presented supports the convictions and the sentences imposed fall within the range permitted by law. As far as the record reveals, Bianco was represented by counsel at all stages of the proceedings, and these proceedings were conducted in compliance with his constitutional and statutory rights and the Arizona Rules of

¹ We cite to the current versions of statutes when no revisions material to this decision have occurred since the date of the alleged offenses.

Criminal Procedure.

¶17 Pursuant to *State v. Shattuck*, 140 Ariz. 582, 584-85, 684 P.2d 154, 156-57 (1984), counsel's obligations in this appeal have ended. Counsel need do no more than inform Bianco of the disposition of the appeal and his future options, unless counsel's review reveals an issue appropriate for submission to the Arizona Supreme Court by petition for review. Bianco has thirty days from the date of this decision in which to proceed, if he desires, with a *pro se* motion for reconsideration or petition for review.

CONCLUSION

¶18 Bianco's convictions and sentences are affirmed.

_____/s/_____
JOHN C. GEMMILL, Judge

CONCURRING:

_____/s/_____
PATRICIA A. OROZCO, Presiding Judge

_____/s/_____
PHILIP HALL, Judge