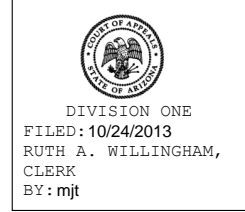


NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED
EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c);
Ariz. R. Crim. P. 31.24



IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

STATE OF ARIZONA,) 1 CA-CR 12-0636-PRPC
)
Respondent,) DEPARTMENT E
)
v.) **MEMORANDUM DECISION**
) (Not for Publication -
JAMES LEON WALKER,) Rule 111, Rules of the
) Arizona Supreme Court)
Petitioner.)
)

Petition for Review from the Superior Court of Maricopa County
Cause No. CR2000-012987

The Honorable Eddward C. Ballinger, Judge

REVIEW GRANTED; RELIEF DENIED

James Leon Walker
Pro Se

Florence

PER CURIAM

¶1 Petitioner, James Leon Walker, pled guilty to attempted molestation of a child and attempted sexual conduct with a minor in 2001. The trial court sentenced him to fifteen years' imprisonment for attempted molestation and placed him on lifetime probation for attempted sexual conduct. Walker now seeks review of the summary dismissal of the latest of his many successive petitions for post-conviction relief. We review the

summary dismissal of a petition for post-conviction relief for an abuse of discretion. *State v. Watton*, 164 Ariz. 323, 325, 793 P.2d 80, 82 (1990). We have jurisdiction pursuant to Arizona Rule of Criminal Procedure 32.9(c).

¶12 We deny relief. Walker raised and/or could have raised all of the issues in his latest petition for post-conviction relief in his earlier post-conviction relief proceedings. Any claim a defendant raised or could have raised in an earlier post-conviction relief proceeding is precluded. Ariz. R. Crim. P. 32.2(a). This includes the legality of a sentence. *State v. Shrum*, 220 Ariz. 115, 117-20, ¶¶ 3-23, 203 P.3d 1175, 1177-80 (2009) (sentencing issue regarding the legality of a sentence precluded as untimely even though there was no lawful authority for the sentence imposed). Contrary to Walker's assertions, none of the exceptions under Rule 32.2(b) apply.

¶13 For the above stated reasons, we grant review and deny relief.

_____/S/_____
LAWRENCE F. WINTHROP, Presiding Judge

_____/S/_____
MARGARET H. DOWNIE, Judge

_____/S/_____
JON W. THOMPSON, Judge