

NOTICE: NOT FOR OFFICIAL PUBLICATION.
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL
AND MAY BE CITED ONLY AS AUTHORIZED BY RULE.

IN THE
ARIZONA COURT OF APPEALS
DIVISION ONE

STATE OF ARIZONA, *Respondent*,

v.

RON DAMON BROWN, *Petitioner*.

No. 1 CA-CR 15-0585 PRPC
FILED 6-8-2017

Petition for Review from the Superior Court in Maricopa County
No. CR2009-117976-001
The Honorable Lisa M. Roberts, Judge *Pro Tempore*

REVIEW GRANTED; RELIEF DENIED

COUNSEL

Maricopa County Attorney's Office, Phoenix
By Diane Meloche
Counsel for Respondent

Ron Damon Brown, Florence
Petitioner

STATE v. BROWN
Decision of the Court

MEMORANDUM DECISION

Presiding Judge Margaret H. Downie delivered the decision of the Court, in which Judge Kenton D. Jones and Judge Donn Kessler joined.

D O W N I E, Judge:

¶1 Ron Damon Brown petitions for review from the superior court's summary dismissal of his seventh successive notice of post-conviction relief. We grant review but deny relief.

¶2 A jury found Brown guilty of sexual abuse and two counts of sexual conduct with a minor, all dangerous crimes against children. The superior court sentenced him to five years' imprisonment for sexual abuse, followed by two consecutive life terms for the sexual conduct counts. This Court affirmed Brown's convictions and sentences on direct appeal. *State v. Brown*, 1 CA-CR 10-0428, 2011 WL 4000876 (Ariz. App. Sept. 8, 2011) (mem. decision).

¶3 Brown argues on review that the superior court erred by allowing jurors to listen to a recording of a confrontation call in the jury room "without communicating that in writing or on record with the court nor I, the defendant." We deny relief because Brown could have raised this issue in a prior post-conviction proceeding. Any claim a defendant could have raised in an earlier post-conviction relief proceeding is precluded. Ariz. R. Crim. P. 32.2(a). Furthermore, Brown offers no substantive argument and cites neither legal authority nor the record in support of his claim. He has, therefore, failed to present a colorable claim for relief.



AMY M. WOOD • Clerk of the Court
FILED: AA