

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

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STATE OF ARIZONA, *Appellee*,

*v.*

SALVATORE VINCENT JOYCE, *Appellant*.

No. 1 CA-CR 16-0396  
FILED 4-4-2017

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Appeal from the Superior Court in Mohave County

No. S8015CR201500123

No. S8015CR201500407

No. S8015CR201500491

The Honorable Steven F. Conn, Judge

**AFFIRMED**

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COUNSEL

Arizona Attorney General's Office, Phoenix

By Joseph T. Maziarz

*Counsel for Appellee*

Mohave County Legal Advocate's Office, Kingman

By Aaron M. Demke

*Counsel for Appellant*

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**MEMORANDUM DECISION**

Presiding Judge Samuel A. Thumma delivered the decision of the Court, in which Chief Judge Michael J. Brown and Judge Patricia A. Orozco joined.<sup>1</sup>

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**T H U M M A**, Judge:

¶1 This is an appeal under *Anders v. California*, 386 U.S. 738 (1967) and *State v. Leon*, 104 Ariz. 297 (1969). Counsel for defendant Salvatore Vincent Joyce has advised the court that, after searching the entire record, he has found no arguable question of law and asks this court to conduct an *Anders* review of the record. Joyce was given the opportunity to file a supplemental brief pro se, but has not done so. This court has reviewed the record and has found no reversible error. Accordingly, the revocation of Joyce's probation and the resulting prison sentences are affirmed.

**FACTS AND PROCEDURAL HISTORY**

¶2 In June 2015, Joyce pled guilty to three non-dangerous, non-repetitive felony offenses in three separate cases: (1) trafficking in stolen property in the first degree, a Class 2 felony committed on January 22, 2015 (CR2015-00123); (2) forgery, a Class 4 felony committed on March 24, 2015 (CR2015-00407); and (3) threatening or intimidating by domestic violence, a Class 6 felony committed on April 30, 2015 (CR2015-00491). In July 2015, the court suspended the sentence on all three convictions, placed Joyce on supervised probation for three years, and ordered that he serve 180 days in jail on all three offenses (and gave him pre-sentence credit for each conviction for the jail time imposed).

¶3 Shortly after Joyce was released from custody, his probation officer filed a petition alleging that he violated his conditions of probation by committing new offenses. After being found competent, the court set a probation violation hearing, where Joyce was represented by counsel. At the hearing, the court heard testimony from the State's witness as well as Joyce, who elected to testify on his own behalf. After considering the

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<sup>1</sup> The Honorable Patricia A. Orozco, Retired Judge of the Court of Appeals, Division One, has been authorized to sit in this matter pursuant to Article VI, Section 3 of the Arizona Constitution.

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evidence presented, and hearing argument, the court found that Joyce had violated his conditions of probation as alleged.

¶4 At the subsequent disposition, the court revoked Joyce's probation and imposed the following mitigated prison sentences: (1) three years, with 395 days presentence incarceration credit, for trafficking in stolen property in the first degree, a Class 2 felony (CR2015-00123); (2) one year, to be served consecutively to the trafficking in stolen property in the first degree sentence, for forgery, a Class 4 felony (CR2015-00407); and (3) six months, to be served consecutively to the forgery sentence (and, by definition, to be served consecutively to the trafficking in stolen property in the first degree sentence) for intimidating by domestic violence, a Class 6 felon (CR2015-00491). This court has jurisdiction over Joyce's timely appeal from the revocation of his probation and the resulting sentences pursuant to Arizona Revised Statutes (A.R.S.) sections 12-120.21 (A)(1), 13-4031 and 13-4033(A)(1) (2017).<sup>2</sup>

**DISCUSSION**

¶5 This court has reviewed and considered counsel's brief and has searched the entire record for reversible error. *See State v. Clark*, 196 Ariz. 530, 537 ¶ 30 (App. 1999). Searching the record and briefs reveals no reversible error. The record shows Joyce was represented by counsel at all stages of the proceedings and counsel was present at all critical stages. The record shows that there was substantial evidence supporting the superior court's finding that Joyce violated his probation. From the record, all proceedings were conducted in compliance with the Arizona Rules of Criminal Procedure. The sentences imposed were within the statutory limits and permissible ranges. Neither Joyce nor counsel raised any issue on appeal.

**CONCLUSION**

¶6 This court has read and considered counsel's brief, and has searched the record provided for reversible error and has found none. *Leon*, 104 Ariz. at 300; *Clark*, 196 Ariz. at 537 ¶ 30. Accordingly, Joyce's probation revocation and resulting sentences are affirmed.

¶7 Upon the filing of this decision, defense counsel is directed to inform Joyce of the status of the appeal and of his future options. Defense counsel has no further obligations unless, upon review, counsel identifies

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<sup>2</sup> Absent material revisions after the relevant dates, statutes and rules cited refer to the current version unless otherwise indicated.

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an issue appropriate for submission to the Arizona Supreme Court by petition for review. *See State v. Shattuck*, 140 Ariz. 582, 584-85 (1984). Joyce shall have 30 days from the date of this decision to proceed, if he desires, with a pro se motion for reconsideration or petition for review.



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