

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

JOSE DIAZ TORRES, *Petitioner*.

No. 1 CA-CR 22-0191 PRPC  
FILED 11-8-2022

---

Petition for Review from the Superior Court in Maricopa County  
No. CR2014-001176-001  
The Honorable Bradley H. Astrowsky, Judge

**REVIEW GRANTED; RELIEF DENIED**

---

COUNSEL

Maricopa County Attorney's Office, Phoenix  
By Krista Wood  
*Counsel for Respondent*

Jose Diaz Torres, Florence  
*Petitioner*

STATE v. TORRES  
Decision of the Court

---

**MEMORANDUM DECISION**

Presiding Judge Brian Y. Furuya, Judge Jennifer B. Campbell, and Judge Paul J. McMurdie delivered the decision of the Court.

---

**PER CURIAM:**

¶1 Petitioner Jose Torres seeks review of the superior court's order denying his petition for post-conviction relief. This is petitioner's latest successive petition.

¶2 Absent an abuse of discretion or error of law, this court will not disturb a superior court's ruling on a petition for post-conviction relief. *State v. Gutierrez*, 229 Ariz. 573, 577, ¶ 19 (2012). It is petitioner's burden to show that the superior court abused its discretion by denying the petition for post-conviction relief. *See State v. Poblete*, 227 Ariz. 537, 538, ¶ 1 (App. 2011) (petitioner has burden of establishing abuse of discretion on review).

¶3 We have reviewed the record in this matter, the superior court's order denying the petition for post-conviction relief, and the petition for review. We find that petitioner has not established an abuse of discretion.

¶4 We grant review but deny relief.



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