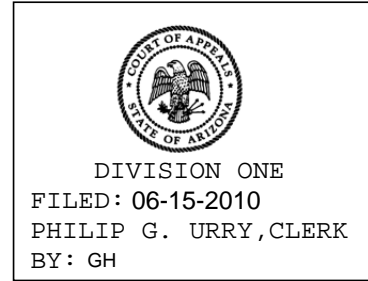


NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED
EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c);
Ariz. R. Crim. P. 31.24

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE



IN RE VICTOR A.) 1 CA-JV 10-0060
)
) DEPARTMENT B
)
) **MEMORANDUM DECISION**
) (Not for Publication -
) Ariz. R.P. Juv. Ct. 103(G);
) ARCAP 28)
)
)

Appeal from the Superior Court in Maricopa County

Cause No. JV551573

The Honorable Brian K. Ishikawa, Judge

AFFIRMED

Richard M. Romley, Acting Maricopa County Attorney Phoenix
By Kent E. Cattani, Chief Counsel
Criminal Appeals/Capital Litigation Section
And Jeffrey W. Trudgian, Appeals Bureau Chief
Attorneys for Appellee

James J. Haas, Maricopa County Public Defender Mesa
By Suzanne W. Sanchez, Deputy Public Defender
Attorneys for Appellant

N O R R I S, Judge

¶1 Victor A. appeals from the juvenile court's disposition order committing him to the Arizona Department of Juvenile Corrections ("ADJC"). After searching the record and

finding no arguable question of law that was not frivolous, Victor's counsel filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967); *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969); and *Maricopa County Juvenile Action No. JV-117258*, 163 Ariz. 484, 486, 788 P.2d 1235, 1237 (App. 1989), asking this court to search the record for fundamental error. After reviewing the entire record, we find no fundamental error and therefore affirm the disposition order.

FACTS AND PROCEDURAL BACKGROUND¹

¶2 On January 25, 2010, Victor admitted to a charge of second degree burglary, a class three felony. Before accepting his admission, the juvenile court advised him of his constitutional rights and the possible dispositional consequences of his admission; found he had knowingly, intelligently, and voluntarily waived his rights; and obtained a factual basis from him supporting his admission. See Ariz. R.P. Juv. Ct. 28(C).

¶3 At Victor's disposition hearing on March 11, 2010, the juvenile court heard from his probation officer, his attorney, his grandmother, and counsel for the State. The juvenile court committed Victor to the ADJC until his 18th birthday or until

¹"[W]e view the evidence in the light most favorable to sustaining the adjudication." *In re John M.*, 201 Ariz. 424, 426, ¶ 7, 36 P.3d 772, 774 (App. 2001).

released sooner pursuant to law, and ordered him to pay approximately \$1,330 in restitution.² Victor timely appealed.

DISCUSSION

¶4 We review juvenile delinquency disposition orders for abuse of discretion. *In re Miguel R.*, 204 Ariz. 328, 331, ¶ 3, 63 P.3d 1065, 1068 (App. 2003). In exercising its broad discretion, the juvenile court is required to consider guidelines for commitment promulgated by the Arizona Supreme Court. See Ariz. Rev. Stat. ("A.R.S.") § 8-246(C) (2007); Ariz. Code of Jud. Admin. § 6-304(C)(1) ("ACJA").

¶5 Here, the court properly considered the ACJA guidelines before committing Victor to the ADJC. The court found (and the record supports) Victor had been adjudicated delinquent on several "serious" counts involving victims, had failed to pay restitution, and had "not done well on standard probation" for a variety of reasons. The court found commitment to the ADJC was the "least restrictive and most effective alternative" because "further efforts at rehabilitation need to take place in a secure facility for the protection of the public."

¶6 We have reviewed the entire record for reversible error and find none. See *Leon*, 104 Ariz. at 300, 451 P.2d at

²Over Victor's objection, the court also ordered restitution for a second victim to remain open until April 11, 2010.

881. Victor was represented by counsel at all stages of the probation revocation and disposition proceedings, and was personally present at all critical stages. The court imposed an appropriate disposition for Victor's adjudication. See A.R.S. § 8-341(A)(1)(e) (Supp. 2009).

CONCLUSION

¶17 We decline to order briefing and affirm the court's disposition order.

¶18 Pursuant to *State v. Shattuck*, 140 Ariz. 582, 584-85, 684 P.2d 154, 156-57 (1984), Victor's counsel's obligations in this appeal are at an end. Counsel need do no more than inform Victor of the status 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. See Ariz. R.P. Juv. Ct. 107(A), (J).

/s/

PATRICIA K. NORRIS, Presiding Judge

CONCURRING:

/s/

DANIEL A. BARKER, Judge

/s/

PETER B. SWANN, Judge