

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



DIVISION ONE  
FILED: 05/01/2012  
RUTH A. WILLINGHAM,  
CLERK  
BY: sls

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE

STATE OF ARIZONA, ) 1 CA-CR 10-0898  
)  
Appellee, ) DEPARTMENT D  
)  
v. ) **MEMORANDUM DECISION**  
) (Not for Publication -  
) Rule 111, Rules of the  
TENILLE JEANNE STANFORD, ) Arizona Supreme Court)  
)  
Appellant. )  
)

---

Appeal from the Superior Court in Maricopa County

Cause No. CR2004-039886-001 SE

The Honorable Sherry K. Stephens, Judge

**AFFIRMED**

---

Thomas C. Horne, Attorney General Phoenix  
by Kent E. Cattani, Chief Counsel,  
Criminal Appeals/Capital Litigation Section  
Attorneys for Appellee

James J. Haas, Maricopa County Public Defender Phoenix  
by Tennie B. Martin, Deputy Public Defender  
Attorneys for Appellant

---

**P O R T L E Y**, Judge

¶1 This is an appeal under *Anders v. California*, 386 U.S.  
738 (1967) and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878  
(1969). Counsel for Defendant Tenille Jeanne Stanford has

advised us that, after searching the entire record, she has been unable to discover any arguable questions of law, and has filed a brief requesting that we conduct an *Anders* review of the record. Stanford did not take the opportunity to file a supplemental brief. We have jurisdiction over this appeal pursuant to Article 6, Section 9, of the Arizona Constitution and Arizona Revised Statutes ("A.R.S.") sections 12-120.21(A)(1) (West 2012),<sup>1</sup> 13-4031 (West 2012), and -4033(A)(1) (West 2012).

#### **FACTS<sup>2</sup>**

¶2 Stanford was charged by information with forgery, a class four felony, in violation of A.R.S. § 13-2002 (West 2012). The information alleged that, with the intent to defraud, she knowingly possessed forged checks belonging to Marquita W. sometime between December 10, 2003, and December 12, 2003. Stanford pled not guilty, and the case proceeded to trial. After she did not appear for trial, the court found that she had waived her right to be present and tried her in absentia.<sup>3</sup>

---

<sup>1</sup> We cite the current version of an applicable statute if no revisions material to this decision have since occurred.

<sup>2</sup> We review the facts in the light most favorable to sustaining the verdict. *State v. Guerra*, 161 Ariz. 289, 293, 778 P.2d 1185, 1189 (1989) (citation omitted).

<sup>3</sup> Stanford had been told by the court that the case would proceed if she did not appear. Then, on the first day of trial, her counsel told the court that she had received a phone message from Stanford a few days earlier and she believed that Stanford was aware that the trial could proceed in her absence.

¶3 At trial, Marquita W. testified that she had shared an apartment with Stanford for approximately three years, that she had a Washington Mutual checking account, and that she closed the account in late November or early December 2003. She also identified copies of three checks from her closed Washington Mutual account that were made out to "Tenille Stanford" for a total of \$2000, and testified that she had not written or signed any of the three checks, and had not given anyone permission to do so.

¶4 The Arizona Central Credit Union ("ACCU") risk manager testified that the three checks were deposited into Stanford's ACCU account on December 12 and 13, 2003.

¶5 A city of Chandler police officer testified that he spoke with Stanford about the forgery complaint. He testified that:

She said that she and Marquita lived together. She said they were out of work and poor and Christmas was arriving. And they together wrote these checks that were on Marquita's old checking account that was no longer good. And that they would make them out to [Stanford] and then have them cashed via ATM deposit. And then she told me they would as soon as they made the ATM deposit . . . withdraw as much of the money that they could from the ATM.

¶6 The officer further testified that Stanford told him "she knew it was wrong" but she did not have any money, Christmas was coming, and she needed groceries. She also

promised to provide him with evidence of Marquita's involvement, but never did.

¶7 After all of the evidence had been presented, the jury was properly instructed. Stanford was found guilty as charged. After she was apprehended, her sentence was suspended and she was placed on two years of supervised probation.

#### **DISCUSSION**

¶8 We have read and considered counsel's brief and have searched the entire record for reversible error. See *Leon*, 104 Ariz. at 300, 451 P.2d at 881. We find none.

¶9 All of the proceedings were conducted in compliance with the Arizona Rules of Criminal Procedure. The record, as presented, reveals that Stanford was represented by counsel at all stages of the proceedings, and the probation imposed was within the statutory limits.

#### **CONCLUSION**

¶10 We affirm the conviction and sentence. After this decision has been filed, counsel's obligation to represent Stanford in this appeal has ended. Counsel need do no more than inform her of the status of the appeal and her future options, unless counsel's review reveals an issue appropriate for submission to the Arizona Supreme Court by petition for review. *State v. Shattuck*, 140 Ariz. 582, 585, 684 P.2d 154, 157 (1984). Stanford may, if desired, file a motion for reconsideration or

petition for review pursuant to the Arizona Rules of Criminal Procedure.

/s/

---

MAURICE PORTLEY, Judge

CONCURRING:

/s/

---

JON W. THOMPSON, Presiding Judge

/s/

---

JOHN C. GEMMILL, Judge