

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

FILED BY CLERK

MAY 16 2012

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	2 CA-CR 2011-0256
)	DEPARTMENT A
Appellee,)	
)	<u>MEMORANDUM DECISION</u>
v.)	Not for Publication
)	Rule 111, Rules of
KEVIN RANDY PERKINS,)	the Supreme Court
)	
Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR 20100007001

Honorable Christopher C. Browning, Judge

AFFIRMED

Isabel G. Garcia, Pima County Legal Defender
By Alex D. Heveri

Tucson
Attorneys for Appellant

B R A M M E R, Judge.

¶1 Appellant Kevin Perkins appeals from his conviction and sentence for aggravated assault, entered after a jury trial. The trial court found he had one historical prior felony conviction and sentenced him to an enhanced, presumptive, 4.5-year prison term.

¶2 Counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), avowing she has reviewed the record and found no meritorious issue to argue on appeal. Consistent with *Clark*, she has provided “a detailed factual and procedural history of the case with citations to the record,” 196 Ariz. 530, ¶ 32, 2 P.3d at 97, and asks this court to search the record for error. Perkins has not filed a supplemental brief.

¶3 Viewed in the light most favorable to upholding the jury’s verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established the following. In December 2009, after Perkins entered his girlfriend’s house and found her male roommate, L.G., sleeping naked in bed with her, he punched L.G. numerous times, causing multiple injuries to his face, jaw, and ribs. We conclude substantial evidence supported the jury’s verdict. *See* A.R.S. §§ 13-1203; 13-1204.

¶4 The record also supports the trial court’s finding that Perkins “knowingly, voluntarily, [and] intelligently waived his rights and admitted to one historical prior” felony conviction for the purpose of sentence enhancement. Perkins’s sentence was authorized by statute and imposed in a lawful manner. *See* A.R.S. § 13-703(I).

¶5 In our examination of the record pursuant to *Anders*, we have found no reversible error and no arguable issue warranting further appellate review. *See Anders*, 386 U.S. at 744. Accordingly, we affirm Perkins’s conviction and sentence.

/s/ J. William Brammer, Jr.
J. WILLIAM BRAMMER, JR., Judge

CONCURRING:

/s/ Joseph W. Howard
JOSEPH W. HOWARD, Chief Judge

/s/ Peter J. Eckerstrom
PETER J. ECKERSTROM, Presiding Judge