IN THE
# ARIZONA COURT OF APPEALS
DIVISION TWO

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THE STATE OF ARIZONA,
*Appellee*,

*v.*

CINTHIA Z. ACUNA-MARTINEZ,
*Appellant*.

No. 2 CA-CR 2015-0356
Filed May 31, 2016

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Appeal from the Superior Court in Pima County
No. CR20150126001
The Honorable Christopher Browning, Judge

**AFFIRMED**

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COUNSEL

Steven R. Sonenberg, Pima County Public Defender
By David J. Euchner, Assistant Public Defender, Tucson
*Counsel for Appellant*

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**MEMORANDUM DECISION**

Judge Miller authored the decision of the Court, in which Presiding Judge Vásquez and Judge Howard concurred.

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M I L L E R, Judge:

**¶1** After a jury trial, Cinthia Acuna-Martinez was convicted of second-degree burglary. The trial court suspended the imposition of sentence and placed Acuna-Martinez on intensive probation for a five-year term, including as a condition of probation a six-month jail term.

**¶2** Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), asserting that a review of the record revealed no arguably meritorious issue to raise on appeal. Consistent with *Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d at 97, counsel has provided "a detailed factual and procedural history of the case with citations to the record" and asks this court to search the record for error. Acuna-Martinez has not filed a supplemental pro se brief.

**¶3** The evidence, viewed in the light most favorable to sustaining Acuna-Martinez's conviction, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), was sufficient to support the jury's verdict. *See* A.R.S. § 13-1507(A). At trial, S.K. testified she had locked her front door and secured a malfunctioning window before leaving her home on the evening of December 21, 2014, and, when she returned, found the door and window open and Acuna-Martinez standing inside holding S.K.'s television. After being advised of her rights pursuant to *Miranda*,[1] Acuna-Martinez told a police detective she had taken an iPad from S.K.'s home and

[1]*Miranda v. Arizona*, 384 U.S. 436 (1966).

had been thinking of taking the television, but had not done so. We further conclude the term of probation was authorized by statute and was properly imposed. *See* A.R.S. §§ 13-901(A), (F); 13-902(A)(2); 13-913; 13-1507(B).

**¶4** In our examination of the record, we have found no reversible error and no arguable issue warranting further appellate review. *See Anders*, 386 U.S. at 744. Accordingly, we affirm Acuna-Martinez's conviction and disposition.