

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

MARISA R. CERVANTES,
Appellant.

No. 2 CA-CR 2016-0090
Filed October 3, 2016

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.24.

Appeal from the Superior Court in Pima County
No. CR20151000001
The Honorable Richard D. Nichols, Judge

AFFIRMED

COUNSEL

Dean Brault, Pima County Legal Defender
By Joy Athena, Assistant Legal Defender, Tucson
Counsel for Appellant

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MEMORANDUM DECISION

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

V Á S Q U E Z, Presiding Judge:

¶1 After a jury trial, appellant Marisa R. Cervantes was convicted of transportation of a dangerous drug for sale. The trial court sentenced her to a minimum prison term of five years.

¶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 she has reviewed the record but found no arguably meritorious issue to raise on appeal. Consistent with *Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d at 97, she 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. Cervantes has not filed a supplemental pro se brief.

¶3 The evidence, viewed in the light most favorable to sustaining Cervantes’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. § 13-3407(A)(7). A Pima County Sheriff’s detective stopped Cervantes’s vehicle, which she was driving in the emergency lane of I-10 with hazard lights on. The detective noticed the odor of burned marijuana while speaking with Cervantes, and she consented to a search of the vehicle, which yielded two packages of methamphetamine, each weighing approximately fifty-five grams. After Cervantes was advised of her rights pursuant to *Miranda*,¹ she told the detective she knew the methamphetamine was in the back seat of her car.

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

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¶4 We further conclude the sentence imposed was authorized by statute and imposed properly. *See* A.R.S. § 13-3407(A)(7) and (E). 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 Cervantes's conviction and sentence.