

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION TWO

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THE STATE OF ARIZONA,  
*Respondent,*

*v.*

MARTIN GODINEZ ROMERO,  
*Petitioner.*

No. 2 CA-CR 2016-0169-PR  
Filed August 24, 2016

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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NOT FOR PUBLICATION  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.*

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Petition for Review from the Superior Court in Pima County  
Nos. CR20140032001 and CR20141407001  
The Honorable Paul E. Tang, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Barbara LaWall, Pima County Attorney  
By Jacob R. Lines, Deputy County Attorney, Tucson  
*Counsel for Respondent*

Martin G. Romero, Douglas  
*In Propria Persona*

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MEMORANDUM DECISION

Judge Staring authored the decision of the Court, in which Presiding Judge Howard and Judge Espinosa concurred.

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S T A R I N G, Judge:

¶1 Petitioner Martin Romero seeks review of the trial court's order dismissing his petition for post-conviction relief, filed pursuant to Rule 32, Ariz. R. Crim. P. "We will not disturb a trial court's ruling on a petition for post-conviction relief absent a clear abuse of discretion." *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). We find no such abuse here.

¶2 Pursuant to a plea agreement in 2014, Romero was convicted of kidnapping, domestic violence, and two counts of aggravated domestic violence. The trial court imposed consecutive, maximum and presumptive sentences totaling twenty years, to be followed by a four-year term of probation. Romero sought post-conviction relief, and appointed counsel filed a notice stating he had found "no colorable claims" to raise in post-conviction proceedings. Following several extensions, Romero filed a pro se petition, which the court summarily dismissed.

¶3 On review, Romero essentially reasserts the arguments he raised in his petition below, without explaining how the trial court abused its discretion in denying those claims, and asserts he is entitled to an evidentiary hearing. *See* Ariz. R. Crim. P. 32.9(c)(1)(iv) (petition for review shall contain "reasons why the petition should be granted"). He argues the court improperly followed the state's suggestion that it apply the doctrine of *res ipsa loquitur* at sentencing; trial counsel was ineffective for failing to investigate Romero's defenses for trial, specifically, counsel failed to obtain information he could have used "to attack the credibility of [the victim]"; and, if trial counsel had adequately investigated his case, he "would not

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have been forced into taking a plea agreement, but would have gone to trial.” (Emphasis omitted.)

¶4 In a thorough, well-reasoned ruling, the trial court identified the claims Romero raised and resolved them correctly and in a manner permitting this court to review and determine the propriety of that order. *See State v. Whipple*, 177 Ariz. 272, 274, 866 P.2d 1358, 1360 (App. 1993). Romero has not persuaded us on review that the court’s resolution of his claims was incorrect. No purpose would be served by restating the court’s ruling in its entirety here; rather, we adopt it. *See id.*

¶5 Because Romero has not sustained his burden of establishing the trial court abused its discretion in dismissing his petition, we grant review but deny relief.