

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

ISRAEL YSEA,
Appellant.

No. 2 CA-CR 2016-0251
Filed April 24, 2017

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NOT FOR PUBLICATION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 Cochise County

No. CR201500533

The Honorable Wallace R. Hoggatt, Judge

AFFIRMED

COUNSEL

Mark A. Suagee, Cochise County Public Defender
By Xochitl Orozco, Deputy Public Defender, Bisbee
Counsel for Appellant

STATE v. YSEA
Decision of the Court

MEMORANDUM DECISION

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

H O W A R D, Presiding Judge:

¶1 Appellant Israel Ysea was charged with attempted first-degree murder, two counts of aggravated assault and unlawful use of a means of transportation. Following a jury trial, he was convicted of unlawful use of a means of transportation and acquitted of the other counts. After finding that Ysea was a category one repetitive offender, the trial court sentenced him to a partly mitigated one-year prison term with 337 days of presentence incarceration credit.¹

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), avowing she has reviewed the record and found “no arguable question of law that is not frivolous,” and asking that we search the record for reversible error. In compliance with *State v. Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d 89, 97 (App. 1999), counsel has also provided “a detailed factual and procedural history of the case with citations to the record, [so] this court can satisfy itself that counsel has in fact thoroughly reviewed the record.” Ysea has not filed a supplemental brief.

¶3 Viewed in the light most favorable to sustaining the verdict, see *State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence was sufficient to support the jury’s finding of guilt. The evidence presented at trial showed that in July 2015, Ysea knowingly drove the victim’s vehicle without his permission and without the intent to permanently deprive him of it, to wit, Ysea drove the vehicle for approximately four or five blocks. See A.R.S. § 13-

¹It appears that Ysea is no longer in custody.

STATE v. YSEA
Decision of the Court

1803(A)(1). We further conclude the sentence was within the statutory limits and was imposed properly. *See* A.R.S. § 13-703(H).

¶4 Pursuant to our obligation under *Anders*, we have reviewed the record for fundamental error and found none. *See State v. Fuller*, 143 Ariz. 571, 575, 694 P.2d 1185, 1189 (1985) (*Anders* requires court to search for fundamental error). Accordingly, we affirm Ysea's conviction and sentence.