

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



DIVISION ONE  
FILED: 08/28/2012  
RUTH A. WILLINGHAM,  
CLERK  
BY: sls

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE

STATE OF ARIZONA, ) No. 1 CA-CR 11-0827  
)  
Appellee, ) DEPARTMENT A  
)  
v. ) MEMORANDUM DECISION  
)  
PHILIP HARVEY JOHNSON, ) (Not for Publication -  
) Rule 111, Rules of the  
Appellant. ) Arizona Supreme Court)  
)

Appeal from the Superior Court in Maricopa County

Cause No. CR 2011-006092-001

The Honorable Michael D. Jones, Judge (Retired)

**AFFIRMED**

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Thomas C. Horne, Arizona Attorney General Phoenix  
By Kent E. Cattani, Chief Counsel  
Criminal Appeals/Capital Litigation Section  
Attorneys for Appellee

James J. Haas, Maricopa County Public Defender Phoenix  
By Peg Green, Deputy Public Defender  
Attorney for Appellant

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**T I M M E R**, Presiding Judge

¶1 Philip Harvey Johnson appeals his conviction and resulting disposition after a jury convicted him of aggravated assault, a class four felony and domestic violence offense.

Johnson's counsel filed a brief in accordance with *Smith v. Robbins*, 528 U.S. 259 (2000), *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), advising this court that after a search of the entire record on appeal, he found no arguable grounds for reversal. This court granted Johnson an opportunity to file a supplemental brief in propria persona, but he has not done so. We have jurisdiction to consider this appeal pursuant to Article 6, Section 9, of the Arizona Constitution and Arizona Revised Statutes ("A.R.S.") sections 12-120.21(A)(1) (2003), 13-4031 (2001), and -4033(A)(1) and (3) (2001). For the following reasons, we affirm.

#### DISCUSSION

¶2 We have read and considered counsel's brief and have searched the entire record for reversible error. *State v. Leon*, 104 Ariz. 297, 300, 451 P.2d 878, 881 (1969). We find none. The record shows that Johnson was represented by counsel at all stages of the proceedings and on appeal, and that the trial court afforded Johnson all his rights under the constitution, our statutes, and the Arizona Rules of Criminal Procedure. The disposition was within the range prescribed by law. *Clark*, 196 Ariz. at 541, ¶ 50, 2 P.3d at 100.

**CONCLUSION**

¶3 After the filing of this decision, counsel's obligations pertaining to Johnson's representation in this appeal have ended. Counsel need do no more than inform Johnson of the status of the appeal and Johnson's future options, unless counsel's review reveals an issue appropriate for submission to the Arizona Supreme Court by petition for review. *State v. Shattuck*, 140 Ariz. 582, 584-85, 684 P.2d 154, 156-57 (1984). Johnson shall have thirty days from the date of this decision to proceed, if he desires, with an in propria persona motion for reconsideration or petition for review.

¶4 Accordingly, we affirm Johnson's conviction and resulting disposition.

/s/  
\_\_\_\_\_  
Ann A. Scott Timmer  
Presiding Judge

CONCURRING:

/s/  
\_\_\_\_\_  
Patricia K. Norris, Judge

/s/  
\_\_\_\_\_  
Donn Kessler, Judge