

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: 09/20/2012  
RUTH A. WILLINGHAM,  
CLERK  
BY: sls

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE

STATE OF ARIZONA, ) No. 1 CA-CR 11-0887  
)  
Appellee, ) DEPARTMENT A  
)  
v. ) MEMORANDUM DECISION  
)  
YESENIA MARTINEZ, ) (Not for Publication -  
) Rule 111, Rules of the  
Appellant. ) Arizona Supreme Court)  
)

Appeal from the Superior Court in Maricopa County

Cause No. CR 2011-101467-001

The Honorable Susanna C. Pineda, Judge

**AFFIRMED**

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

Phoenix

James J. Haas, Maricopa County Public Defender  
By Terry J. Adams, Deputy Public Defender  
Attorneys for Appellant

Phoenix

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

¶1 Yesenia Martinez appeals her conviction and resulting disposition after a jury convicted her of aggravated assault, a class five felony, and resisting arrest, a class six

undesignated felony. Martinez'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 Martinez an opportunity to file a supplemental brief in propria persona, but she 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 Martinez was represented by counsel at all stages of the proceedings and on appeal, and that the trial court afforded Martinez all of her 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 Martinez's representation in this appeal have ended. Counsel need do no more than inform Martinez of the status of the appeal and Martinez'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). Martinez shall have thirty days from the date of this decision to proceed, if she desires, with an in propria persona motion for reconsideration or petition for review.

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

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

CONCURRING:

/s/  
\_\_\_\_\_  
John C. Gemmill, Judge

/s/  
\_\_\_\_\_  
Margaret H. Downie, Judge