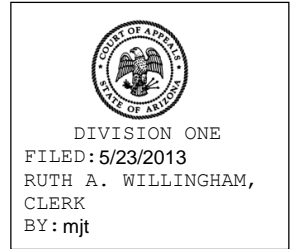


NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED
EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c);
Ariz. R. Crim. P. 31.24



IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

IN RE CARLOS M.) 1 CA-JV 13-0027
)
) DEPARTMENT B
)
) **MEMORANDUM DECISION**
) (Not for Publication -
) Ariz. R.P. Juv. Ct. 103(G);
) ARCAP 28)
)
)

Appeal from the Superior Court in Maricopa County

Cause No. JV558382

The Honorable James R. Rummage, Commissioner

AFFIRMED

William G. Montgomery, Maricopa County Attorney Mesa
By Suzanne W. Sanchez, Deputy Public Advocate
Attorneys for Appellee

Preciado Law Firm PLC Phoenix
By Stephanie Preciado
Attorneys for Appellant

N O R R I S, Judge

¶1 Carlos M. appeals from his adjudication of delinquency and disposition of minor consumption of spirituous liquor ("minor consumption"). Ariz. Rev. Stat. ("A.R.S.") § 4-244(41) (Supp. 2012). After searching the record and finding no

arguable question of law that was not frivolous, Carlos M.'s counsel filed a brief in accordance with *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967); *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969); and *Maricopa County Juvenile Action No. JV-117258*, 163 Ariz. 484, 485-88, 788 P.2d 1235, 1236-39 (App. 1989), asking this court to search the record for fundamental error. After reviewing the entire record, we find no fundamental error and, therefore, affirm Carlos M.'s adjudication and disposition.

FACTS AND PROCEDURAL BACKGROUND¹

¶2 On August 25, 2012, at approximately 12:48 in the morning, police brought Carlos M. to a DUI command post because they suspected he had consumed alcohol. A police officer observed Carlos M. for approximately an hour and a half before driving him home and then ticketing him for minor consumption. Although Carlos M. did not admit to consuming alcohol and refused a breath test, the officer testified at the adjudication Carlos M. had bloodshot, watery eyes, slurred speech, an odor of alcohol coming from his breath, and could not remember his home address.

¹"[W]e view the evidence in the light most favorable to sustaining the adjudication." *In re John M.*, 201 Ariz. 424, 426, ¶ 7, 36 P.3d 772, 774 (App. 2001) (citation omitted).

¶13 The court placed Carlos M. on summary probation and ordered him to complete 12 hours of unpaid community restitution, attend a Students Against Destructive Decisions class, and write a two-page essay on the experience and dangers of underage alcohol consumption.

DISCUSSION

¶14 We have reviewed the entire record for reversible error and find none. See *Leon*, 104 Ariz. at 300, 451 P.2d at 881. Substantial evidence supported the juvenile court's adjudication. Carlos M. was represented by counsel at all stages of the proceedings, and was personally present at all critical stages. The court imposed an appropriate disposition for Carlos M.'s adjudication. A.R.S. § 8-341(A)(1)(a) (Supp. 2012).

CONCLUSION

¶15 We decline to order briefing and affirm the court's adjudication of delinquency and disposition.

