

NOTICE: NOT FOR OFFICIAL PUBLICATION.  
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  
AND MAY BE CITED ONLY AS AUTHORIZED BY RULE.

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

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STATE OF ARIZONA, *Appellee*,

*v.*

EMERY GILBERT HUME, *Appellant*.

No. 1 CA-CR 15-0521

FILED 4-14-2016

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Appeal from the Superior Court in Maricopa County

No. CR2014-103497-001

The Honorable Daniel J. Kiley, Judge

**AFFIRMED**

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COUNSEL

Arizona Attorney General's Office, Phoenix

By Joseph T. Maziarz

*Counsel for Appellee*

Maricopa County Public Defender's Office, Phoenix

By Terry J. Adams

*Counsel for Appellant*

STATE v. HUME  
Decision of the Court

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**MEMORANDUM DECISION**

Presiding Judge Jon W. Thompson delivered the decision of the Court, in which Judge Maurice Portley and Judge Patricia K. Norris joined.

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**T H O M P S O N**, Judge:

¶1 This case comes to us as an appeal under *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969). Counsel for Emery Gilbert Hume (defendant) has advised us that, after searching the entire record, he has been unable to discover any arguable questions of law and has filed a brief requesting this court conduct an *Anders* review of the record. Defendant has been afforded an opportunity to file a supplemental brief *in propria persona*, but he has not done so.

¶2 At approximately 10:30 p.m. on January 21, 2014, police officers responded to a trespass call at a convenience store. Police officers found defendant outside of the store behaving in a paranoid manner. An officer conducted a search of defendant and found a folded piece of paper containing methamphetamine in his back pocket.

¶3 A jury convicted defendant of one count of knowingly possessing or using methamphetamine, a dangerous drug, a class 4 felony. Prior to sentencing, defendant admitted that he had one historical prior felony conviction for second degree murder. The court sentenced defendant to four and half years incarceration and imposed \$1,898 in fines. Defendant received 520 days of presentence incarceration credit.

¶4 We have read and considered defendant's *Anders* brief, and we have searched the entire record for reversible error. See *Leon*, 104 Ariz. at 300, 451 P.2d at 881. We find none. All of the proceedings were conducted in compliance with the Arizona Rules of Criminal Procedure, and the sentence imposed was within the statutory limits. Pursuant to *State v. Shattuck*, 140 Ariz. 582, 584-85, 684 P.2d 154, 156-57 (1984), defendant's counsel's obligations in this appeal are at an end. Defendant has thirty days from the date of this decision in which to proceed, if he so desires, with an *in propria persona* motion for reconsideration or petition for review.

STATE v. HUME  
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¶5

We affirm the conviction and sentence.



Ruth A. Willingham - Clerk of the Court  
FILED : ama