

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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, *Respondent*,

*v.*

BRAULIO TREJO-MARTIN, *Petitioner*.

No. 1 CA-CR 14-0712 PRPC  
FILED 1-12-2017

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Petition for Review from the Superior Court in Maricopa County  
No. CR2010-134281-001  
The Honorable Christopher T. Whitten, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Maricopa County Attorney's Office, Phoenix  
By Diane Meloche  
*Counsel for Respondent*

Braulio Trejo-Martin, Florence  
*Petitioner Pro Se*

STATE v. TREJO-MARTIN  
Decision of the Court

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**MEMORANDUM DECISION**

Judge Paul J. McMurdie delivered the decision of the Court, in which Presiding Judge Diane M. Johnsen and Judge Jon W. Thompson joined.

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**M c M U R D I E**, Judge:

¶1 Petitioner Braulio Trejo-Martin petitions this court for review of the summary dismissal of his second petition for post-conviction relief. Trejo-Martin pled guilty to molestation of a child and two counts of attempted molestation of a child in 2011. Trejo-Martin argues his trial counsel and his first post-conviction relief counsel were ineffective. He further argues the superior court erred when it imposed an aggravated term of imprisonment for the count of molestation of a child.

¶2 We deny relief. Trejo-Martin could have raised the sentencing issues as well as the claims of ineffective assistance of trial counsel in his first post-conviction relief proceeding. He could have raised the claims of ineffective assistance of his first post-conviction counsel in a timely second petition for post-conviction relief in 2012. Any claim a defendant could have raised in an earlier post-conviction relief proceeding is precluded. Ariz. R. Crim. P. 32.2(a). None of the exceptions under Rule 32.2(b) apply.

¶3 We grant review but deny relief.



AMY M. WOOD • Clerk of the Court  
FILED: AA