

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

---

STATE OF ARIZONA, *Respondent*,

*v.*

DANNY CLAUDE COTTON, *Petitioner*.

No. 1 CA-CR 15-0773 PRPC  
FILED 9-26-2017

---

Petition for Review from the Superior Court in Maricopa County  
No. CR1995-009159  
The Honorable Dean M. Fink, Judge

**REVIEW GRANTED; RELIEF DENIED**

---

COUNSEL

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

Danny Claude Cotton, Tucson  
*Petitioner*

STATE v. COTTON  
Decision of the Court

---

**MEMORANDUM DECISION**

Judge Kenton D. Jones delivered the decision of the Court, in which Presiding Judge Margaret H. Downie and Chief Judge Samuel A. Thumma joined.

---

**JONES**, Judge:

¶1 Danny Cotton petitions this Court for review from the summary dismissal of his latest of many successive petitions for post-conviction relief. In 1996, a jury found Cotton guilty of aggravated assault, a dangerous crime against children, and disorderly conduct. The trial court sentenced him to an aggregate term of 23.75 years' imprisonment, and we affirmed his convictions and sentences on direct appeal.

¶2 Cotton argues his trial counsel was ineffective when he failed to adequately explain the consequences of rejecting the State's plea offer and when he failed to object to the amendment of the indictment. Cotton further argues the trial court erred when it held the count of aggravated assault was a dangerous crime against children and when it imposed consecutive sentences.

¶3 We deny relief. Cotton could have raised all these claims in a prior post-conviction relief proceeding. Further, he could have raised the issues regarding dangerous crimes against children and the imposition of consecutive sentences on direct appeal. Any claim a defendant could have raised on direct appeal or 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.

¶4 We grant review but deny relief.