

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

DEBORAH PATTERSON WILSON, *Appellant*.

No. 1 CA-CR 16-0032  
FILED 1-31-2017

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Appeal from the Superior Court in Maricopa County  
No. CR2014-145690-001  
The Honorable Charles Donofrio, Judge *Pro Tempore*

**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 Tennie B. Martin  
*Counsel for Appellant*

STATE v. WILSON  
Decision of the Court

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**MEMORANDUM DECISION**

Judge Randall M. Howe delivered the decision of the Court, in which Presiding Judge Kenton D. Jones and Judge Donn Kessler joined.

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**H O W E**, Judge:

¶1 This appeal is filed in accordance with *Anders v. California*, 386 U.S. 738 (1967) and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969). Counsel for Deborah Patterson Wilson asks this Court to search the record for fundamental error. Wilson was given an opportunity to file a supplemental brief in propria persona. She has not done so. After reviewing the record, we affirm.

**FACTS AND PROCEDURAL HISTORY**

¶2 We view the facts in the light most favorable to sustaining the trial court's judgment and resolve all reasonable inferences against Wilson. *State v. Fontes*, 195 Ariz. 229, 230 ¶ 2, 986 P.2d 897, 898 (App. 1998).

¶3 In September 2014, the State charged Wilson with one count of aggravated assault – a dangerous offense – after injuring her victim with a pair of scissors. Wilson originally pled not-guilty, but later entered into a plea agreement with the State through which she pled guilty to one count of aggravated assault – a non-dangerous offense. Before entering Wilson's change of plea, the trial court informed Wilson of her rights and the consequences of pleading guilty pursuant to Arizona Rule of Criminal Procedure 17.2. Wilson stated that she understood and voluntarily waived those rights.

¶4 The trial court suspended sentencing and imposed a term of 4 years' probation. As a term of that probation, the court required that Wilson serve 6 months in jail, applying 159 days' presentence incarceration credit. The trial court also specified certain other conditions on Wilson's probation, including that she must comply with the probation department's directives, obtain written permission from the department before leaving the state, attend Veteran's Court, and "screen for mental health terms."

¶5 Three months later, Wilson asked her probation officer for permission to leave Arizona to travel to Maryland for 30 days to visit her brother. The probation officer permitted Wilson to take the trip, but

STATE v. WILSON  
Decision of the Court

required that she contact him upon her return. But Wilson failed to do so and also failed to report on her next scheduled check-in with the officer. Having had no contact with Wilson in two months, the State petitioned to revoke her probation, alleging that Wilson had failed to report to the probation department, changed residences without receiving the department's approval, left Arizona without permission, failed to attend Veteran's Court, and failed to get screened for "mental health terms." The court issued a probation violation warrant for Wilson's arrest. Law enforcement in Georgia arrested Wilson the following month and extradited her to Arizona.

¶6 Wilson denied violating her probation and requested a witness violation hearing on the matter. At the hearing, Wilson did not dispute that she violated the terms of her travel permit by leaving Maryland and not returning to Arizona when she was supposed to. Wilson argued, however, that she had good reasons for her actions. She stated that while in Maryland, she was involved in a domestic violence situation and feared for her life, so a local victims' organization placed her in a safe-house and instructed her to not contact anyone. Wilson said that she had also suffered a stroke during this time. Continuing to fear for her safety, however, Wilson asked the victims' organization to relocate her out of Maryland, so they moved her to Georgia and again instructed her to not contact anyone. She admitted, though, that she contacted the Veterans' Administration regularly while at the safe house because she needed to do so to get her medications.

¶7 After taking all the testimony, the trial court held that Wilson violated her probation. Specifically, the court found that Wilson violated three terms of her probation: leaving the state without permission, failing to maintain contact with the probation department, and failing to go to Veteran's Court. The trial court again suspended sentencing and reinstated Wilson's 4-year probation term. Wilson timely appealed.

### DISCUSSION

¶8 We review Wilson's conviction and sentence for fundamental error. *See State v. Gendron*, 168 Ariz. 153, 155, 812 P.2d 626, 628 (1991).

¶9 Counsel for Wilson has advised this Court that after a diligent search of the entire record, she has found no arguable question of law. We have read and considered counsel's brief and fully reviewed the 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

STATE v. WILSON  
Decision of the Court

of Criminal Procedure. So far as the record reveals, Wilson was represented by counsel at all stages of the proceedings, and the probation term imposed was appropriate. We decline to order briefing and affirm the trial court's judgment.

¶10 Upon the filing of this decision, defense counsel shall inform Wilson of the status of her appeal and of her future options. Defense counsel has no further obligations unless, upon review, counsel finds an issue appropriate for submission to the Arizona Supreme Court by petition for review. *See State v. Shattuck*, 140 Ariz. 582, 584-85, 684 P.2d 154, 156-57 (1984). Wilson shall have 30 days from the date of this decision to proceed, if she desires, with a pro per motion for reconsideration or petition for review.

CONCLUSION

¶11 For the foregoing reasons, we affirm.



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