

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

SAMUEL BRETT WESLEY BASSETT, *Petitioner*.

No. 1 CA-CR 16-0041 PRPC  
FILED 10-31-2017

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Petition for Review from the Superior Court in Yavapai County  
No. V1300CR201180151  
The Honorable Michael R. Bluff, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Yavapai County Attorney's Office, Prescott  
By Bill R. Hughes  
*Counsel for Respondent*

Craig Williams Attorney at Law PLLC, Prescott Valley  
By Craig Williams  
*Counsel for Petitioner*

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**MEMORANDUM DECISION**

Judge Peter B. Swann delivered the decision of the court, in which Presiding Judge Randall M. Howe and Judge Maria Elena Cruz joined.

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**S W A N N**, Judge:

¶1 Samuel Brett Wesley Bassett petitions this court for review from the dismissal of his petition for post-conviction relief. We grant review but deny relief.

¶2 A jury found Bassett guilty of 40 sex crimes involving minors, and the superior court imposed consecutive sentences totaling 202 years. We affirmed Bassett's convictions and sentences on direct appeal. *State v. Bassett*, 1 CA-CR 12-0239, 2014 WL 860802 (Ariz. App. March 4, 2014) (mem. decision). Bassett timely sought post-conviction relief, contending that the state presented improper evidence at trial and that trial counsel provided ineffective assistance. The superior court denied the petition on the merits. Bassett timely petitions this court for review, identifying the following issues regarding the trial evidence:

- 1) The Implication by the State's Witness that the Petitioner was a "Child Molester" was Highly Prejudicial;
- 2) Detective Edgerton Did Testify Regarding Uncharged Photos;
- 3) Testimony of an Uncharged Photo Given to Dr. Coffman for Review;
- 4) The Jury Could Have Used the Information Contained in Dr. Quinn's Report as Improper Character Evidence;
- 5) That Reference to Additional Photos on the Thumb Drive Was Unduly Prejudicial.

¶3 We will not disturb the superior court's ruling on a petition for post-conviction relief absent an abuse of discretion. *State v. Gutierrez*, 229 Ariz. 573, 577, ¶ 19 (2012). "We may affirm on any basis supported by the record." *State v. Robinson*, 153 Ariz. 191, 199 (1987). We "may determine

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and hold that an issue is precluded regardless of whether the state raises preclusion.” Ariz. R. Crim. P. 32.2(c).

¶4 With some exceptions that do not apply here, a defendant may not obtain post-conviction relief on issues that were or could have been raised on direct appeal. Ariz. R. Crim. P. 32.2(a)-(b). The evidentiary issues that Basset raises fall within that rule. And to the extent that Bassett renews his contention that trial counsel was ineffective, he does so improperly in cursory fashion. *See State v. Moody*, 208 Ariz. 424, 452 n.9, ¶ 101 (2004) (“Merely mentioning an argument is not enough . . .”). We therefore deny relief.



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