

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

JOSE MANUEL PINZON, *Petitioner*.

No. 1 CA-CR 16-0720 PRPC  
FILED 10-12-2017

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Petition for Review from the Superior Court in Yavapai County  
No. P1300CR201000868  
The Honorable Tina R. Ainley, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Yavapai County Attorney's Office, Prescott  
By Dana E. Owens  
*Counsel for Respondent*

Jose Manuel Pinzon, Globe  
*Petitioner*

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**MEMORANDUM DECISION**

Presiding Judge Lawrence F. Winthrop, Judge Diane M. Johnsen, and  
Judge Maria Elena Cruz delivered the decision of the Court.

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STATE v. PINZON  
Decision of the Court

PER CURIAM:

¶1 Petitioner Jose Manuel Pinzon seeks review of the superior court's order denying his petition for post-conviction relief, filed pursuant to Arizona Rule of Criminal Procedure 32.1. This is petitioner's second successive petition.

¶2 Absent an abuse of discretion or error of law, this court will not disturb a superior court's ruling on a petition for post-conviction relief. *State v. Gutierrez*, 229 Ariz. 573, 577, ¶ 19 (2012). It is petitioner's burden to show that the superior court abused its discretion by denying the petition for post-conviction relief. *See State v. Poblete*, 227 Ariz. 537, ¶ 1 (App. 2011) (petitioner has burden of establishing abuse of discretion on review).

¶3 We have reviewed the record in this matter, the superior court's order denying the petition for post-conviction relief, and the petition for review. We find that petitioner has not established an abuse of discretion.

¶4 We grant review and deny relief.



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