

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

ALAN M. BARTLETT, *Petitioner*.

No. 1 CA-CR 16-0755 PRPC
FILED 10-19-2017

Petition for Review from the Superior Court in Maricopa County
No. CR2007-172499-001
The Honorable Barbara L. Spencer, Judge *Pro Tempore*

REVIEW DENIED

COUNSEL

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

Alan M. Bartlett, Phoenix
Petitioner

STATE v. BARTLETT
Decision of the Court

MEMORANDUM DECISION

Presiding Judge Paul J. McMurdie, Judge Peter B. Swann and Judge Samuel A. Thumma delivered the following decision.

PER CURIAM:

¶1 Petitioner Alan Bartlett 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.

¶2 Bartlett filed his notice of request for post-conviction relief over seven years after the entry of judgment. [I72; I75] Accordingly, the superior court dismissed his notice as untimely pursuant to Arizona Rule of Criminal Procedure 32.4(a). [I78] Bartlett’s petition fails to set forth any factual or legal basis to allow review of the petition. [I75] See *State v. Lopez*, 234 Ariz. 513, 515, ¶ 9 (App. 2014) (“[A] defendant who fails to timely file a notice of appeal – like a defendant who does not timely file a notice of post-conviction relief – has no remedy unless that defendant can demonstrate, pursuant to Rule 32.1(f), that the ‘failure to file a notice of post-conviction relief of-right or notice of appeal within the prescribed time was without fault on the defendant’s part.’”).

¶3 We deny review.



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