

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

PATRICK MICHAEL FERRERO, *Petitioner*.

No. 1 CA-CR 16-0851 PRPC
FILED 1-9-2018

Petition for Review from the Superior Court in Maricopa County
No. CR2009-103770-001
The Honorable Warren J. Granville, Judge

REVIEW GRANTED; RELIEF DENIED

COUNSEL

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

Patrick Michael Ferrero, Kingman
Petitioner

MEMORANDUM DECISION

Presiding Judge Kenton D. Jones, Judge Jon W. Thompson, and Judge
Jennifer M. Perkins delivered the decision of the Court.

STATE v. FERRERO
Decision of the Court

PER CURIAM:

¶1 Petitioner Patrick Ferrero seeks review of the superior court's order denying his motion to clarify and correct an unlawful sentence, which we treat as a petition for post-conviction relief filed pursuant to Arizona Rule of Criminal Procedure 32.1. *See* Ariz. R. Crim. P. 32.3 (directing the trial court to treat a request for a post-trial remedy as a petition for post-conviction relief). This is the petitioner's first, albeit untimely, 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, 576-77, ¶ 19 (2012). It is the petitioner's burden to show that the superior court abused its discretion in denying the petition. *See State v. Poblete*, 227 Ariz. 537, 538, ¶ 1 (App. 2011).

¶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 shown any abuse of discretion.

¶4 Accordingly, we grant review and deny relief.