

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

JASON LANARD MEEKS, *Appellant*.

No. 1 CA-CR 17-0381  
FILED 5-29-2018

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Appeal from the Superior Court in Maricopa County  
No. CR2014-150750-002  
The Honorable Dean M. Fink, Judge

**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 Kevin D. Heade  
*Counsel for Appellant*

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**MEMORANDUM DECISION**

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

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**P E R K I N S**, Judge:

¶1 Meeks appeals his sentence which the trial court imposed for his conviction of armed robbery. Meeks’ defense counsel certified that he searched the entire record and identified no arguable question of law that is not frivolous. Therefore, under *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297 (1969), defense counsel asked this Court to search the record for fundamental error. Meeks had the opportunity to file a supplemental brief *in propria persona* but did not do so. After reviewing the entire record certified for appeal, we find no error. Therefore, Meeks’ sentence is affirmed.

**FACTUAL AND PROCEDURAL HISTORY**

¶2 A jury convicted Meeks of one count of armed robbery. The trial court then sentenced Meeks to 17 years in prison. Meeks appealed his conviction and sentence to this Court, and a panel of this Court affirmed his convictions, but reversed his sentence because it found the trial court improperly designated Meeks as a dangerous, repetitive offender and improperly considered the use of a weapon – an element of the crime of armed robbery – as an aggravated factor. *State v. Meeks*, 1 CA-CR 16-0121, 2017 WL 631594, at \*2, ¶¶ 8-11 (App. Feb. 16, 2017) (mem. decision).

¶3 On remand, the trial court held another sentencing hearing. In that sentencing hearing, the court found the presence of an accomplice as an aggravating factor, and listed several mitigating factors, including Meeks’ difficult childhood, history of drug abuse, and family support.

¶4 The trial court found the aggravating and mitigating circumstances warranted a “somewhat aggravated” sentence and sentenced Meeks to 16.5 years in prison.

**DISCUSSION**

¶5 Because Meeks’ conviction has already been affirmed by this Court, we only review his sentence. At his sentencing hearing, Meeks was

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represented by counsel, was present, and was allowed to address the court. See *State v. Conner*, 163 Ariz. 97, 104 (1990) (right to counsel at critical stages); *State v. Bohn*, 116 Ariz. 500, 503 (1977) (right to be present at critical stages). Meeks' sentence is within the prescribed statutory range and was imposed lawfully. See A.R.S § 13-703(J), -708(A).

¶6 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and found none. See *State v. Fuller*, 143 Ariz. 571, 575 (1985) (*Anders* requires the court to search the record for fundamental error); *Leon*, 104 Ariz. at 300 ("An exhaustive search of the record has failed to produce any prejudicial error.").

CONCLUSION

¶7 Meeks' sentence is affirmed.

¶8 Defense counsel's obligations pertaining to Meeks' representation in this appeal are complete. Defense counsel need do no more than inform Meeks of the outcome of this appeal and his future options, unless, upon review, counsel finds an issue appropriate for submission to our supreme court by petition for review. *State v. Shattuck*, 140 Ariz. 582, 584-85 (1984).

¶9 Meeks has thirty days from the date of this decision to proceed, if he wishes, with an *in propria persona* petition for review. See Ariz. R. Crim. P. 31.19(a). Upon the Court's own motion, we also grant Meeks thirty days from the date of this decision to file an *in propria persona* motion for reconsideration.



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